MODESTO CITY COUNCIL
RESOLUTION NO. 2010-087

A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION (EA/UP&P 2009-01) AND A MITIGATION MONITORING AND REPORTING PROGRAM DATED FEBRUARY 2010 FOR THE PROJECT TITLED, "CARPENTER ROAD BRIDGE SEISMIC RETROFIT"

WHEREAS, Section 15070 of the CEQA Guidelines relating to Initial Study/Mitigated Negative Declaration permits a lead agency to prepare an Initial Study/Mitigated Negative Declaration on any proposed project to analyze whether the project may cause any significant effect on the environment, and

WHEREAS, Dokken Engineering, under contract with the City, prepared an Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for the Carpenter Road Bridge Seismic Retrofit Project, attached as Exhibit A, which identified potential significant impacts from the proposed Project that could be mitigated to a level of insignificance by incorporating feasible mitigation measures into the Project, and

WHEREAS, feasible mitigation measures were incorporated into the Project and agreed to by the City before the Initial Study/Mitigated Negative Declaration was released for public review, which measures will avoid or mitigate the identified effects to a point where clearly no significant effect will occur, and

WHEREAS, a 30-day public review period for the proposed Initial Study/Mitigated Negative Declaration began on December 10, 2009, and ended on January 8, 2010, and

WHEREAS, public comments were received on the draft Initial Study/Mitigated Negative Declaration, which comments are responded to in the Initial Study/Final Mitigated Negative Declaration dated February 2010, and

WHEREAS, the response to the public comments as contained in the Initial Study/Final Mitigated Negative Declaration dated February 2010 have required technical revisions to be made to the document and these revisions are noted by a bar on the left hand margin throughout the document, and

WHEREAS, the Mitigation and Monitoring Program is included and described within the Initial Study/Mitigated Negative Declaration dated February 2010,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council has reviewed and considered the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Carpenter Road Bridge Seismic Retrofit Project, and based on the substantial evidence provided in said Initial Study/Mitigated Negative Declaration makes the following findings:

1. The recitals set forth above are true and correct.

2. The Initial Study/Mitigated Negative Declaration prepared for the proposed project has identified additional potentially significant environmental effects. These additional potentially significant effects are potential impacts to loss of sensitive wildlife and plant habitat, flooding and water quality, and generation of noise.

3. Before the Initial Study/Mitigated Negative Declaration was released for public review, feasible mitigation measures were made by or agreed to by the City, which will avoid or mitigate the effects to a point where clearly no significant effect will occur.

4. There is no substantial evidence, in light of the whole record before the public agency, that the project, as revised, may have a significant effect on the environment (Public Resources Code Section 21064.5(2)).

5. The Initial Study/Mitigated Negative Declaration reflects the independent judgment of the lead agency.

6. As required by Public Resources Code Section 21081.6 et seq., the Mitigation Monitoring and Reporting Program is hereby adopted, a copy

of which is included in the Mitigated Negative Declaration, which is on file with the City Clerk.

7. The Initial Study/Mitigated Negative Declaration, Environmental Assessment (EA/UP&P 2009-01) provides the substantial evidence to support findings 1 through 6, above.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it hereby adopts the Initial Study/Mitigated Negative Declaration (EA/UP&P 2009-01), a copy of which is on file with the City Clerk and incorporated herein by reference.

BE IT FURTHER RESOLVED that the City of Modesto Utility Planning and Projects Department, Capital Improvement Services, is the custodian of the documents and other materials, which constitute the record of proceedings upon which its decision is based. The records are located at the office of the City of Modesto Utility Planning & Projects Deputy Director, 1010 Tenth Street, Fourth Floor, Modesto, CA 95354.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the Director of Utility Planning & Projects is hereby authorized and directed to file a notice of determination within five (5) business days with the Stanislaus County Clerk, pursuant to Section 21152 of the Public Resources Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 2009, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Hawn, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Geer, Hawn, Lopez, Marsh, Muratore, Olsen, Mayor Ridenour
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: _____
SUSANA ALCALA WOOD, City Attorney

Exhibit "A"

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
EA/UP&P 2009-01

City of Modesto

Finding of Conformance to General Plan Master EIR:

Initial Study and Mitigated Negative Declaration UP&P No. 2009-01

For the proposed:

Carpenter Road Bridge Seismic Retrofit Project

Prepared by:
City of Modesto
Utility Planning and Projects Department

February 2010

GENERAL INFORMATION ABOUT THIS DOCUMENT

What's in this document:

This document is a Mitigated Negative Declaration which examines the environmental effects of the proposed project located in the southwest portion of the City of Modesto, Stanislaus County, California. The document describes why the project has been proposed and the existing environment that could be affected by the project.

The Initial Study and Mitigated Negative Declaration were circulated to the public from December 10, 2009 to January 8, 2010. On January 6th, the City of Modesto received a request for a one week extension from the State Lands Commission. That request was granted on January 7th and a subsequent comment letter was received from the State Lands Commission on January 14th, 2010. The comments and their responses are shown in Appendix B: CEQA 30 Day Public Circulation and Response to Comments, which has been added since the draft. Elsewhere throughout this document, a line in the margin indicates a change made since the draft document circulation.

City of Modesto
Master EIR Initial Study Environmental Checklist

I. PURPOSE

CEQA allows for the limited environmental review of subsequent projects under the City's Master Environmental Impact Report ("Master EIR" or "MEIR"). This Initial Study Environmental Checklist ("Initial Study") is used in determining whether the Carpenter Road Bridge Seismic Retrofit Project is "within the scope" of the project analyzed in the Modesto Urban Area General Plan Master EIR (SCH# 2007072023) (Public Resources Code section 21157.1). When the Initial Study supports this conclusion, the City will issue a finding of conformance.

A subsequent project is "within the scope" of the Master EIR when:

1. it will have no additional significant effects on the environment that were not addressed as significant effects in the Master EIR; and

2. no new or additional mitigation measures or alternatives are required.

"Additional significant effects" means a project-specific effect that was not addressed as a significant effect in the Master EIR. [Public Resources Code Section 21158(d)]

The determination must be based on substantial evidence in the record. "Substantial evidence" means facts, reasonable assumptions predicated upon facts, or expert opinion based on facts. It does not include speculation or unsubstantiated opinion. (CEQA Guidelines Section 15384)

The proposed Carpenter Road Bridge Seismic Retrofit Project is located in an area that was examined by the General Plan MEIR and is currently contained in the General Plan by virtue of the existing nature of these facilities. This Initial Study will determine if there are potentially significant effects from the project, and if so, whether mitigation or alternatives can be provided to avoid or reduce the effects to a level of insignificance.

II. PROJECT DESCRIPTION

A. Title: Carpenter Road Bridge Seismic Retrofit Project

B. Address or Location: City of Modesto, P.O. Box 642, Modesto, CA 95353

C. Applicant: City of Modesto, Utility Planning and Projects Department

D. City Contact Person: Steve Pace

Project Manager: Steve Pace
Department: Utility Planning and Projects Department
Phone Number: (209) 557-5265
E-mail address: space@modestogov.com

E. Current General Plan Designation(s): Open Space, Tuolumne River Comprehensive Planning District

F. Current Zoning Classification(s): R-1, Residential

G. Surrounding Land Uses:

North of the Tuolumne River: Vacant, undeveloped flood plain occurs in the area near the bridge project. The flood plain area east of Carpenter Road is the focus of a recent effort to prepare a new master plan for the Tuolumne River Regional Park.

South of the Tuolumne River: Adjacent to the river and east of the existing bridge is a pet cemetery, and vacant lands. To the west of the existing bridge structure are single family residences located along the bluff top. Hatch Road extends along the southern bluff top more or less parallel with the river corridor. Vacant, rural and agricultural lands are located to the south of Hatch Road.

H. Project Description, including the project type listed in Section II.C (Anticipated Future Projects) of the Master EIR (Attach additional maps/support materials as needed for complete record):

Background

The proposed project involves seismic retrofitting the Carpenter Road Bridge in the City of Modesto. Retrofitting of this bridge is a result of California Senate Bill 36 that was enacted in response to the 1989 Loma Prieta Earthquake. This Bill authorized a statewide seismic retrofit program as a top priority safety concern. Caltrans, through a screening process, found that the Carpenter Road Bridge was a candidate for the Local Seismic Retrofit Program. In 1996, the State hired Dokken Engineering to provide seismic analysis, strategy determination and any needed structural retrofit design for this bridge. Dokken Engineering performed this work and based on AGRA Earth and Environmental field borings, it was found that the liquefaction potential at the bridge site would require extensive foundation retrofit work. From these findings, the retrofit improvements were designed to reduce the potential risk and seismic hazards. Funds for the Carpenter Road Bridge Retrofit were approved and will come from a combination of State and Federal funds.

The existing bridge was built in 1960 and is constructed of concrete materials. It currently accommodates two lanes of traffic (one in each direction). The western side of the bridge has a narrow sidewalk with inadequate railing. Pedestrian access along this sidewalk is unsafe due to the low railing and proximity to vehicular traffic. There is no handicap pedestrian access along the bridge. The majority of the bridge improvements occur within the City of Modesto's jurisdictional limits. From the mid-point of the Tuolumne River to the south, the jurisdiction changes to Stanislaus County. The City of Modesto is the lead agency for processing California Environmental Quality Act (CEQA) environmental review documents and for approving the project. Stanislaus County is a Responsible Agency for CEQA purposes. The bridge will have independent utility and is not associated with any future planning programs that require increased bridge capacity or service. The proposed action constitutes a "project" in accordance with CEQA. Prior to approving new discretionary actions, the City must provide environmental review in accordance with CEQA to assess the potential effects of the project, including mitigation where necessary.

All studies and other supporting information discussed in this document are listed in the Reference section and are available for review at the City of Modesto Utility Planning and Projects Department, 1010 Tenth Street, Modesto CA.

Project Characteristics

The retrofitted bridge structure will provide similar vehicular capacity and travel as the existing bridge. Two travel lanes (one in each direction) will be retained.

Proposed Improvements and Operations

Carpenter Road crosses the Tuolumne River approximately 2.5 miles downstream from SR-99, in the southwest portion of the City of Modesto. The existing bridge will be retrofitted by adding longitudinal link beams to either side of the deck, increasing the width of the current bridge from 33.5 feet to 69.75 feet. Cast-In-Drilled-Hole (CIDH) piles (84 inches diameter) will be installed to support the link beams. An additional 12 pilings will be required to support the link beams over the river channel. Where the CIDH piles will be placed in the live stream of the Tuolumne River (i.e., bents 2, 3, and 4), sheet pile cofferdams will be constructed to allow for dewatering the work area and installation of the piles. Earthen fill will be placed at both abutments to provide seismic resistance. At the southern abutment, the embankment down to the river will be protected with articulated concrete revetment. (See Figure 1, Project Area Map)

Temporary trestles will be constructed adjacent to the existing bridge, on either side of the existing bridge to serve as work platforms. The trestles will be constructed of steel and timber and will be supported by steel piles driven into the river bottom. The trestles will span the section of the bridge over the Tuolumne River and will touch down on each bank. The trestles will remain in place until construction is completed.

Utilities located in the project area may require relocation. All relocation of both permanent and temporary structures will take place within the proposed project footprint.

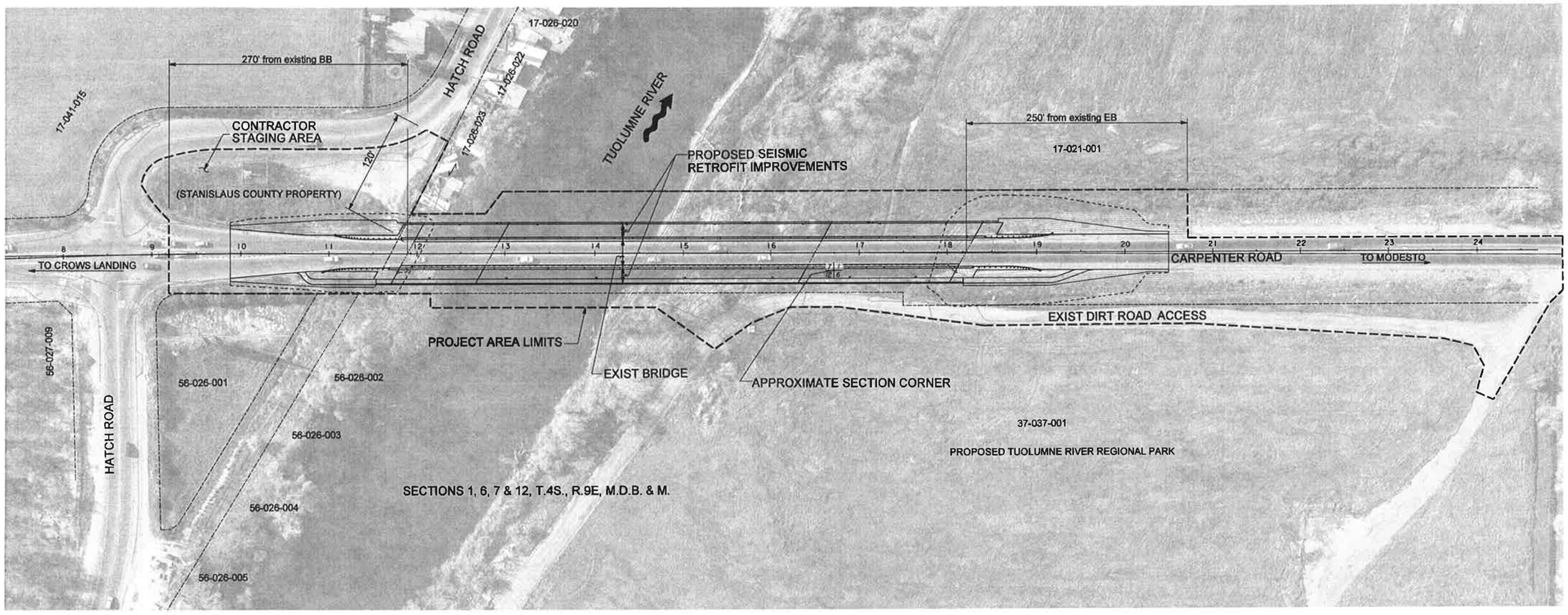
Access, Staging, and Dewatering

During the first stages of construction, temporary barriers (Type K) will be placed within the existing barriers, and two-way traffic access will be maintained with 11-foot travel lanes. By placing temporary barriers onto the roadway, removal of the existing barriers and access to the 16" water main (to be abandoned in place and to remain active until construction is complete) can occur as well as access to constructing the additional (new) bridge decking. Once these improvements are complete, barriers will be relocated to restore two 12-foot traffic lanes with four-foot shoulders.

Access to the work areas will be accomplished via the existing access road on the north bank. No access to the trestles from the south bank will be provided due to physical constraints.

Some temporary single lane closures during non-peak daylight hours may be required for certain construction operations. Both lanes would be open during peak traffic hours and when work is not actively in progress that requires the lane closure. In order to minimize interrupted vehicular service during construction, construction activities will be staged. Construction is expected to take 12 months.

Figure 2 shows the regional and vicinity location of the project.



N

Legend

- AREA OF POTENTIAL EFFECTS Boundary
- Exist R/W (ADDITIONAL R/W NOT REQUIRED)
- Proposed Fill Limits

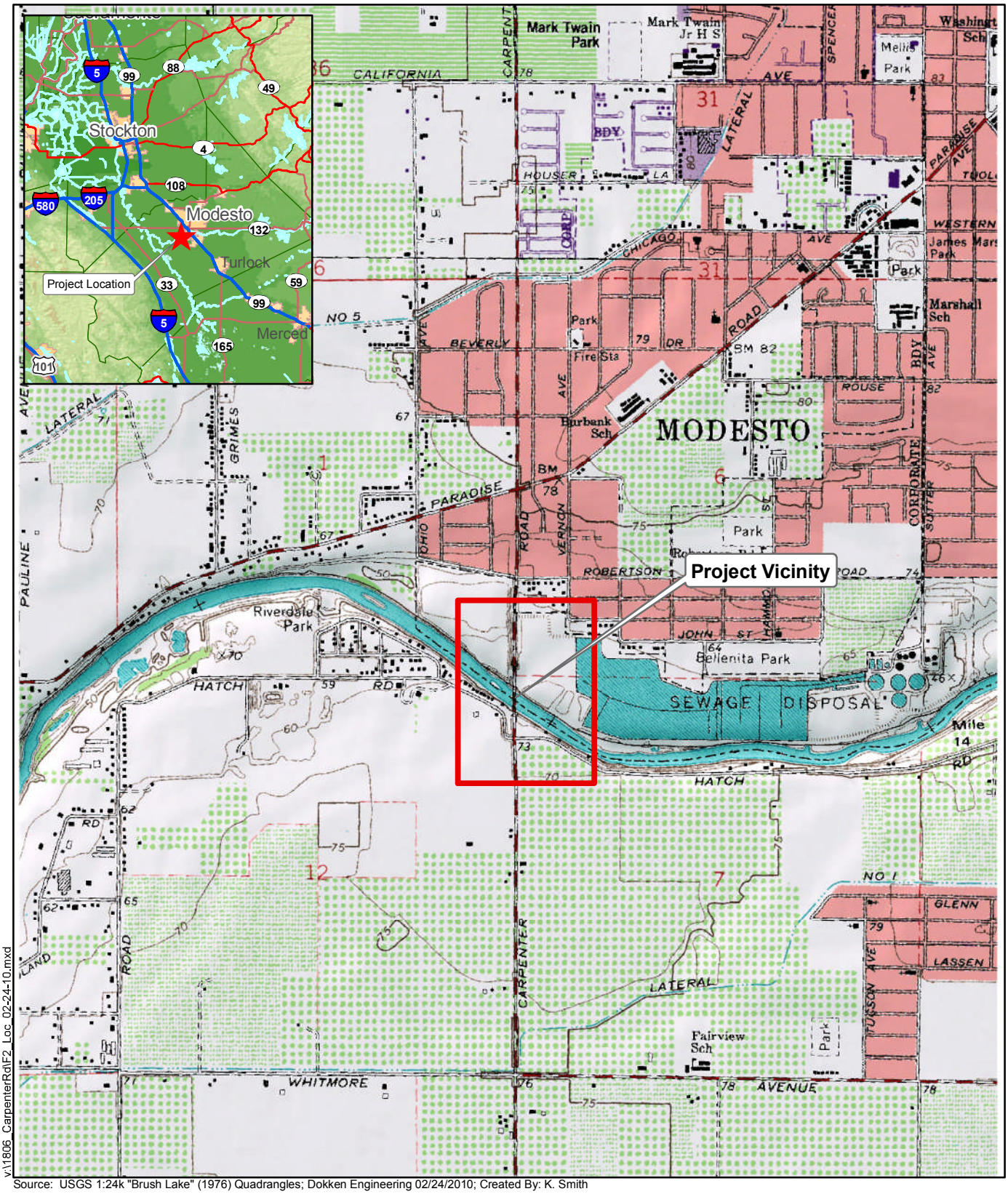
T.C.E. TEMPORARY CONSTRUCTION EASEMENT
BB BEGINNING OF BRIDGE
EB END OF BRIDGE

FEET
0 80 160 240 320 400

Carpenter Road Bridge Seismic Retrofit Project
November 2009

Project Area Map

10-STA-Carpenter Road
Modesto, Stanislaus County
Project # BRLSZA-5059(064)



Source: USGS 1:24k "Brush Lake" (1976) Quadrangles; Dokken Engineering 02/24/2010; Created By: K. Smith

v:\1806_CarpenterRd\F2_Loc_02-24-10.mxd

0 0.25 0.5 0.75 1 Miles

FIGURE 2
PROJECT LOCATION

10-STA-Carpenter Road - Modesto
BRLSZA-5059(064)
Bridge No. 38C-0050
Carpenter Road Bridge Seismic Retrofit Project
Modesto, Stanislaus County, California

I. Other Public Agencies Whose Approval is Required:

Permits and approvals required for the project are listed in Table 1.

Table 1: Project Permits and Approvals

Agency	Permit/Approvals
City of Modesto	Bridge general plan, final design, right-of-way acquisition, bid and award, project construction
Stanislaus County	Encroachment permit
California Department of Fish and Game	Section 1602 Streambed Alteration Agreement
California Regional Water Quality Control Board	Section 401 Water Quality certification or waiver; NPDES Permit compliance
Federal Highway Administration	NEPA/Authorization of Federal Funds
Corps of Engineers	Section 404 Permit of the Clean Water Act
State Water Resources Control Board	Section 402 Permit of the Clean Water Act (NPDES)
California Department of Water Resources	Reclamation Board Encroachment Permit

III. FINDINGS/DETERMINATION (SELECT ONE ON THE BASIS OF THE ANALYSIS IN SECTION IV)

1. _____ Within the Scope - The project is within the scope of the Master EIR and no new environmental document or Public Resources Code Section 21081 findings are required. All of the following statements are found to be true:

A. The proposed project is of a type described in Chapter II of the Master EIR.

B. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the project or otherwise made conditions of approval of the project.

C. An Initial Study was prepared by the City of Modesto that analyzed whether the proposed subsequent project may cause any significant effect on the environment that was not examined in the MEIR and it has been determined that the project was described in the MEIR as being within the scope of the MEIR.

D. Based on the Initial Study, the City of Modesto finds and determines:
   a) The proposed subsequent project will have no additional significant effect as defined in CEQA Section 21158 that was not identified in the MEIR.
   b) No new or additional mitigation measures or alternatives are required.

E. The criteria for currency of the Master EIR were reviewed (section 5 below) and it was determined that the Master EIR is current for all areas of the Initial Study.

2. _X_ Mitigated Negative Declaration Required - On the basis of the above determinations, the project is not within the scope of the Master EIR. A mitigated negative declaration will be prepared for the project. The following statements are all found to be true:

A. The proposed project is of a type described in Chapter II of the Master EIR.

B. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the project or otherwise made conditions of approval of the project.

C. The project will have one or more potential new significant effects on the environment that were not addressed as significant effects in the Master EIR. New or additional mitigation measures are being required of the project that will reduce the effects to a less-than-significant level.

3.____ Focused EIR Required- On the basis of the above determinations, the project is not within the scope of the Master EIR. A Focused EIR will be prepared for the project. All of the following statements are found to be true:

A. The proposed project is of a type described in Chapter II of the Master EIR.

B. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the project or otherwise made conditions of approval of the project.

C. The project will have one or more new significant effects on the environment that were not addressed as significant effects in the Master EIR. New or additional mitigation measures or alternatives are required as a result.

Steve Pace — Associate Civil Engineer — 2/19/2010

Steve Pace
Project Manager

Title

Date

4. Within the Scope Analysis of this Document:

The Master EIR allows projects to be found within the scope of the MEIR if certain criteria are met. If the following statements are found to be true for all 21 impact categories included in this Initial Study, then the proposed project is addressed by the MEIR analysis and is within the scope of the MEIR. Any "No" response must be discussed.

		YES	NO
(1)	The lead agency for subsequent projects shall be the City of Modesto or a responsible agency identified in the Master EIR.	☒	☐
(2)	City policies which reduce, avoid, or mitigate environmental effects will continue to be in effect and, therefore, would be applied to subsequent projects where appropriate. The policies are described in the list of policies in place and mitigation measures attached to the Initial Study template. Project impacts would be mitigated to a less-than-significant level using MEIR mitigations only.	☐	☒
(3)	Federal, State, regional, and Stanislaus County regulations do not change in a manner that is less restrictive on development than current law (i.e., would not offer the same level of protection assumed under the Master EIR).	☒	☐
(4)	No specific information concerning the known or potential presence of significant resources is identified in future reports, or through formal or informal input received from responsible or trustee agencies or other qualified sources.	☒	☐
(5)	The development will occur within the boundaries of the City's planning area as established in this Urban Area General Plan.	☒	☐
(6)	Development within the project will comply with all appropriate mitigation measures contained and enumerated in the 2008 General Plan Master EIR.	☒	☐

Discussion:

(2) The project has the potential for additional environmental impacts that were not addressed by the MEIR. Additional avoidance, minimization, and mitigation measures have been included that are not part of the MEIR. By including these measures, the potential impacts have been reduced to a less than significant level for this project.

5. Currency of the Master EIR Document

The MEIR should be reviewed on a regular basis to determine its currency, and whether additional analysis/mitigation should be incorporated into the MEIR via a Supplemental or Subsequent EIR (CEQA Section 21157.6). Staff has reviewed Sections 1 through 21 of this document in light of the criteria listed below to determine whether the MEIR is current. The analysis contained within the Master EIR is current as long as the following circumstances have not changed. Any "no" response must be explained.

		YES	NO
(1)	Certification of the General Plan Master EIR occurred less than five years prior to the filing of the application for this subsequent project.	☒	☐
(2)	This project is described in the Master EIR and its approval will not affect the adequacy of the Master EIR for any subsequent project because the City can make the following findings:	☒	☐
(a)	No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified.	☒	☐
(b)	No new information, which was not known and could not have been known at the time the Master EIR was certified as complete, has become available.	☒	☐
(c)	Policies remain in effect which require site-specific mitigation, and avoidance or other mitigation of impacts as a prerequisite to future development.	☒	☐

IV. ENVIRONMENTAL ANALYSIS

This Initial Study, in accordance with Section 21157.1(b) of the Public Resources Code, discloses whether the proposed project may cause any project-specific significant effect on the environment that was not examined in the Final Master EIR (MEIR) for the General Plan and whether new or additional mitigation measures or alternatives may be required as a result. The Initial Study thereby documents whether or not the project is "within the scope" of the Master EIR.

Pursuant to Public Resources Code Section 21157.1, no new environmental document or findings are necessary for projects that are determined to be within the scope of the MEIR. Adoption of the findings specified in Section III.1, above after completion of the Initial Study fulfills the City's obligation in that situation.

All environmental effects cited reflect 2025 conditions resulting from the Urban Area General Plan, as identified in the Master EIR.

The environmental impact analysis in the Master EIR for the Urban Area General Plan is organized in twenty-one subject areas. The following analysis is based on the impact analyses contained in Chapter V of the Master EIR. For ease of reference, the sections are numbered in the same order as the analyses in Chapter V.

1. TRAFFIC AND CIRCULATION

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable traffic and circulation impacts expected after application of mitigations/policies:

Direct Impacts

Effect: Increased automobile traffic will result in roadway segments (see MEIR on Table 1-7, pages V-1-32 to V-1-34) operating at LOS D, Modesto's significance threshold for automobile traffic, or lower (LOS E or F).

Effect: The substantial increase in traffic relative to the existing load and capacity of the street system will cause, either individually or cumulatively, the violation of automobile service standards established by StanCOG's Congestion Management Plan for designated roads and highways.

Effect: A substantial increase in automobile vehicle miles traveled and automobile vehicle hours of travel and a decrease in average automobile vehicle speed (see MEIR Table 1-6, page V-1-31).

Cumulative Impacts

Effect: Potential for growth inducement or acceleration of development resulting from highway and local road projects.

Effect: Substantial increase in traffic in relation to the existing traffic load and capacity of the street system, including a violation, either individually or cumulatively, of an automobile LOS standard established by the Congestion Management Plan for designated roads and highways.

Effect: Increased demand for capacity-enhancing alterations to existing roads or automobile traffic reduction.

Other impact categories affected by Traffic and Circulation are addressed throughout this Initial Study (see also Section 2, Degradation of Air Quality; Section 3, Generation of Noise; Section 7 Loss of Sensitive Wildlife and Plant Habitat; Section 8, Disturbance of Archaeological/Historic Sites; Section 14 Increased Demand for Fire Services; Section 18, Energy; Section 19, Visual Resources; Section 20, Land Use and Planning, and Section 21, Climate Change).

b. Master EIR and/or New Mitigation Measures Applied to the Project

Traffic and Circulation mitigation measures pertinent to this project are found on MEIR pages V-1-9 through V-1-28. All mitigation measures appropriate to the project, including any new measures, will be incorporated into or made conditions of approval of this project and are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes TC-6, TC-9, TC-12, TC-13, TC-20, TC-27, TC-34, and TC-39 from the MEIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-1.B of the Master EIR provides analysis of Traffic and Circulation impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: A subsequent development project will have a new significant effect on the environment if it would exceed the following criteria:

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
TRAFFIC AND CIRCULATION				
1) The proposed project exceeds traffic generation assumptions in the Master EIR for the site by 100 trips or more and City Engineering and Transportation staff has determined that the project would have additional potentially significant project-specific effects that are not avoided or reduced by the Master EIR's mitigation measures.	[ ]	[ ]	[X]	[ ]
2) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	[ ]	[ ]	[X]	[ ]
3) The proposed project would cause additional roadway segments in the General Plan area to exceed LOS D and/or cause additional violations of standards in the Congestion Management Plan,	[ ]	[ ]	[X]	[ ]

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
and/or cause an increase in automobile vehicle miles or vehicle hours of travel or a decrease in automobile travel speed, as compared to the impacts disclosed in the Master EIR.				
4) The proposed project would cause emergency response times to exceed acceptable standards established by the Fire Department, as compared to impacts disclosed in the Master EIR (see Section 14, Increased Demand for Fire Services).	[ ]	[ ]	[X]	[ ]
5) The proposed project would result in less parking than required by the Municipal Code or as determined by staff.	[ ]	[ ]	[ ]	[X]
6) The proposed project would conflict with adopted policies, plans, or programs that support alternative transportation, including, but not limited to the Regional Transportation Plan, the Sustainable Communities Strategy, the Bicycle Action Plan, and so on.	[ ]	[ ]	[ ]	[X]
7) The proposed project would result in an increase in energy consumption associated with the operation of highway projects, rail improvements, and aviation facilities (on a per capita basis) in excess of that considered in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]

Discussion:

(1) No new capacity would be added and levels of service would remain unchanged from existing bridge levels of service. During construction, staged bridged construction would maintain traffic flow. Traffic flow would not be significantly affected during construction periods.

(2) The proposed project will not generate an increase in traffic in the area. During construction, temporary lane adjustments (i.e., cone placement) may be implemented. A primary objective of this project is to retain complete through access on Carpenter Road Bridge throughout the construction process.

Bridge replacement is consistent with the Traffic and Circulation Needs section of the MEIR. The Existing Conditions, Impacts Analysis and Mitigation Measures listed in the MEIR for Traffic and Circulation Needs (pages (V-1-1 through V-1-37) are still valid.

(3) The proposed project would not significantly change traffic patterns and would not cause additional roadway segments in the General Plan area to exceed LOS D and/or cause additional violations of standards in the Congestion Management Plan. Since there is no additional capacity being added the proposed project would not increase automobile vehicle miles or vehicle hours traveled.

(4) Two-way emergency services access over the Tuolumne River from the City of Modesto to Stanislaus County would be retained throughout the project area. There should be no loss in emergency service response capabilities either during bridge construction or in the long term.

(5) There are currently no parking opportunities on Carpenter Road or adjacent roadways and uses that will be affected by construction. No new parking demand would be generated by the project.

(6) The proposed project does not propose changes to the City of Modesto Circulation Plan, which is consistent with the Regional Transportation Plan (RTP). The project does not include additional facilities such as bicycle lanes; however, the retrofit project would not preclude those improvements in the future on this facility. For this reason, the project would not prevent service improvements in the future such as non-motorized facilities, and the project is consistent with the goals and policies of the City of Modesto General Plan. The proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation.

(7) The proposed project would not result in additional energy consumption. Electrical conduit is planned as part of the improvement project; however, no lighting is proposed. Should lighting on the bridge be proposed in the future, the effects of increased energy consumption, as they relate to transportation projects in the Urban Area General Plan, would be considered at that time.

2. DEGRADATION OF AIR QUALITY

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable air quality impacts expected after application of mitigations/policies:

Direct Impacts

Effect: Expected automobile traffic will result in increased operational emissions of reactive organic gases (ROG) and oxides of nitrogen (NO_X) (see MEIR Table 2-8, page V-2-27).

Effect: Expected automobile traffic will result in increased emissions of particulate matter 10 microns or less (PM_{10}) and 2.5 microns or less in diameter ($PM_{2.5}$) (see MEIR Table 2-8, page V-2-27).

Effect: Expected automobile traffic will result in increased carbon monoxide (CO) levels in the project area (see MEIR Table 2-7, page V-2-26, and Table 2-8, page V-2-27).

Cumulative Impacts

The Master EIR indicates the same impacts identified as direct impacts above will contribute to regional impacts on air quality for the criteria pollutants ROG, NO_x, PM_{10}, and $PM_{2.5}$.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Air quality mitigation measure(s) pertinent to the proposed project are found on pages V-2-13 through V-2-24 of the Master EIR. All mitigation measures appropriate to the project will be

incorporated into or made conditions of approval of this project and are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes AQ-42 through AQ-44 and AQ-46 through AQ-50 from the MEIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-2.B of the Master EIR is the analysis of air quality impacts resulting from development of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project -specific effect not analyzed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
DEGRADATION OF AIR QUALITY				
1) The proposed project exceeds the project-level emissions thresholds established for CO, ROG, NO_x, PM_{10}, and $PM_{2.5}$ by the San Joaquin Valley Air Pollution Control District (SJVUAPCD) and is not consistent with the development assumptions for the project site, as established in the Urban Area General Plan and Master EIR.	[ ]	[ ]	[X]	[ ]
2) The proposed project does not incorporate the best management practices established by the SJVAPCD for CO, ROG, NO_x, PM_{10}, and $PM_{2.5}$.	[ ]	[ ]	[X]	[ ]
3) The proposed project does not comply with the air quality policies in the Modesto Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
4) The proposed project would expose sensitive receptors to pollutant concentrations in excess of those expected to occur as a result of implementation of the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
5) The proposed project would create objectionable odors affecting a substantial number of people.	[ ]	[ ]	[ ]	[X]

Discussion:

During construction, short-term degradation of air quality may occur due to the release of particulate emissions (airborne dust) generated by excavation, grading, hauling, and other activities related to construction. Emissions from construction equipment also are anticipated and would include carbon monoxide (CO), nitrogen oxides (NOx), volatile organic compounds (VOCs), directly-emitted

particulate matter (PM10 and PM 2.5), and toxic air contaminants such as diesel exhaust particulate matter. Ozone is a regional pollutant that is derived from NOx and VOCs in the presence of sunlight and heat.

Heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO2, NOx, VOCs and some soot particulate (PM10 and PM2.5) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site.

Dust generated will result in a temporary, local impact, limited to areas of construction. Dust control practices will be incorporated into the project to mitigate this potential impact. The dust control practices will comply with the current Caltrans' Standard Specifications.

Each of the above impacts are construction related, temporary, and with inclusion of Best Management Practices and applicable City of Modesto General Plan MEIR measures, these impacts would be reduced to a less than significant level.

(1-2) The proposed project is located within the City of Modesto, which is located within the San Joaquin Valley Air Basin and under the jurisdiction of the San Joaquin Valley Air Pollution Control District. As shown in Table 2, the San Joaquin Valley Air Basin is designated as a non-attainment area for ozone and PM10. The proposed retrofit would not add additional travel lanes or result in traffic volume increases. The proposed improvements would not further aggravate local, State, or federal non-attainment status.

Table 2: San Joaquin Valley Air Basin Attainment Status

Standard	CO	PM_{10}	$PM_{2.5}$	O_3 1-hour	O_3 8-hour
Federal	Maintenance	Attainment (Maintenance)	Non-Attainment	No Federal Standard	Non-Attainment
State	Attainment	Non-Attainment	Non-Attainment	Non-Attainment	Non-Attainment

Source: California Air Resources Board, 2009.

(3) Despite the less than significant finding, it is recommended that the following dust control measures (to control PM10 emissions) be applied during construction consistent with Regulation VIII administered by the San Joaquin Valley Air Pollution Control District (SJVAPCD)

Regulation VIII Control Measures - The following controls are required to be implemented at all construction sites. (Includes changes effective May 15, 2002):

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.

- When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
- Within urban areas, trackouts shall be immediately removed when they extend 50 or more feet from the site, and at the end of each workday.
- Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

Enhanced Control Measures. - The following measures should be implemented at construction sites when required to mitigate significant PM10 impacts (note, these measures are to be implemented in addition to Regulation VIII requirements):

- Limit traffic speeds on unpaved roads to 15 mph; and
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.

Additional Control Measures. - The following control measures are strongly encouraged at construction sites that are large in area, located near sensitive receptors, or which for other reason warrant additional emissions reductions:

- Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site;
- Install wind breaks at windward side(s) of construction areas;
- Suspend excavation and grading activity when winds exceed 20 mph; and*
- Limit area subject to excavation, grading, and other construction activity at any one time.

*Regardless of wind speed, an owner/operator must comply with Regulation VIII's 20 percent opacity limitation.

(4) The proposed project would not generate additional traffic or increase capacity and there would be no increase in exposure of sensitive receptors to pollutant concentrations.

(5) The proposed project would not result in the creation of objectionable odors.

3. GENERATION OF NOISE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable noise impacts expected after application of mitigations/policies:

Direct Impacts

Effect: Future automobile traffic noise levels and roadway construction and maintenance activities resulting from development of the Urban Area General Plan will exceed the City's noise thresholds at various locations, but particularly in areas adjacent to heavily traveled roadways (see MEIR Table 3-3, page V-3-10, and Figure VII-2 and Table 3-6, pages V-3-18 and V-3-19).

Effect: Expected noise from airport operations and airport construction projects may expose up to 468 dwellings and three churches to noise levels of 65 dB CNEL and up to eight dwellings to noise levels of 70 dB CNEL.

Effect: Expose noise-sensitive land uses to noise from the construction of bicycle and transit projects.

Effect: Expose noise-sensitive land uses to noise from freight and passenger rail operations.

Cumulative Impacts

Effect: Traffic from development in the City of Modesto would, when combined with traffic from new development in the County and other cities, contribute to a cumulative increase in roadside noise levels on major roads and highways throughout Stanislaus County.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Noise policies and mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-3-11 through V-3-15 of the Master EIR. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project and any new measures are listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes N-1 through N-4, N-6, N-8 through N-10, N-13, and N-14 from the Master EIR. In addition to these measures taken from the Master EIR, measure NOI-1 has been incorporated to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-3.B of the MEIR discloses noise impacts resulting from development of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project -specific effect not analyzed in the Master EIR.

Significance Criteria: Determination of the proposed project's effects are based on the following thresholds. Project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
GENERATION OF NOISE				
1) The proposed project will exceed the standards for noise level and hours of operation established by the Modesto noise ordinance.	[ ]	[ ]	[X]	[ ]
2) The proposed project will not comply with the noise policies of, or otherwise be inconsistent with, the Modesto Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
3) The proposed project will result in an increase in	[ ]	[ ]	[X]	[ ]

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ambient noise levels in the project vicinity above those disclosed in the Master EIR.				
4) The proposed project will result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels disclosed in the Master EIR implementation of the Urban Area General Plan.	[ ]	[X]	[ ]	[ ]

Discussion:

(1-3) No significant impacts would be generated as a result of the bridge retrofit project, nor will the neighborhood be impacted as a result of this use. It would not create additional significant effects and the Mitigation measures listed in the MEIR for Generation of Noise (pages V-3-1 through V-3-33) are, therefore still valid.

Following bridge replacement, vehicular traffic would remain in the current alignments. No new travel lanes would be added, and traffic volumes are not expected to change. Traffic speed would not increase over the current posted limits. Therefore, proposed roadway improvements would not cause an increase in traffic related noise conditions.

(4) The greatest source of noise from retrofitting the bridge involves construction and demolition. Of these activities, bridge construction would create temporary construction noise, including noise from pile driving. However, construction activities would occur only during the hours allowed under the City's Noise Ordinance and as allowed under the contractor specifications. The City's Ordinance declares noise events as public nuisances, as noted in (but not limited to) Chapter 9 (Noise Regulations), Article 1, Provision 4-9.103 (b): *The loud and raucous operation or use of any of the following before 7:00 a.m. or after 9:00 p.m. daily (except Saturday and Sunday and State or federal holidays, when the prohibited time shall be before 9:00 a.m. and after 9:00 p.m.*. Likewise, the contractor's specifications dictate sound control requirements and are more restrictive than the City's ordinance. The contractor's sound control specification is provided as a mitigation measure.

Mitigation Measure NOI-1: During construction, the noise level from the Contractor's operations, between the hours of 9:00 p.m. and 7:00 a.m., shall not exceed 86 dBA at a distance of 35 feet. In addition, pile driving and jackhammer activities shall be prevented between 9:00 p.m. and 7:00 a.m. to minimize the noise disturbances on nearby residential receptors during the nighttime hours. This requirement shall not relieve the Contractor from responsibility for complying with local ordinances regulating noise level.

The noise level requirement shall apply to the equipment on the job or related to the job, including but not limited to trucks, transit mixers or transient equipment that may or may not be owned by the Contractor. The use of loud sound signals shall be avoided in favor of light warnings except those required by safety laws for the protection of personnel.

4. EFFECTS ON AGRICULTURAL LANDS

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on agricultural lands expected after application of mitigations/policies:

Direct Impacts

Effect: Between 1995 and 2025, development of the Urban Area General Plan may convert up to approximately 26,000 acres of farmland in various categories in the Planned Urbanizing Area to urban uses.

Effect: Approximately 1,200 acres of urban development along a 28.5-mile boundary 350 feet wide between urban and agricultural uses could be affected by continued agricultural operations, including noise, dust, and chemical overspray or drift.

Cumulative Impacts

Effect: Growth within Modesto's planning area would contribute considerably to the loss of agricultural land within Stanislaus County, accounting for the conversion of as much as approximately 26,000 acres of farmland in various categories in the Planned Urbanizing Area from 1995 to 2025.

b. Master EIR and/or New Mitigation Measures Pertinent to the Project

Agricultural land mitigation measures pertinent to the proposed project are found on pages V-4-6 to and V-4-8 of the Master EIR. All mitigation measures appropriate to the project and any new mitigation to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-4.B of the Master EIR discloses the impacts resulting from the implementation of the Urban Area General Plan on agricultural lands. The following is an analysis of whether the proposed project would result in a new, significant, project -specific effect not previously analyzed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
EFFECTS ON AGRICULTURAL LANDS				
1) The proposed project is inconsistent with the Urban Area General Plan's policies relating to agricultural land.	[ ]	[ ]	[ ]	[X]
2) The proposed project will either directly or indirectly result in the development of land outside the 2008 Urban Area General Plan's planning area boundary.	[ ]	[ ]	[ ]	[X]
3) The proposed project will conflict with existing zoning for agricultural use, or there is an existing Williamson Act contract on the project site.	[ ]	[ ]	[ ]	[X]
4) The proposed project will involve other changes in the existing environment not anticipated in the Master EIR which, due to their location or nature, could result in conversion of farmland to non-agricultural use.	[ ]	[ ]	[ ]	[X]

Discussion:

(1) The proposed project is consistent with the Urban Area General Plan's policies relating to agricultural land and would not impact any agricultural lands in the area.

(2) The City of Modesto General Plan EIR indicates that the Tuolumne River Regional Park flood plain area is designated "Other Land." These are farmlands that do not meet the defined farm land categories. The Stanislaus County General Plan Support Documentation (1987) notes that the project area south of the river is designated as Prime or Potential Prime Agricultural Lands. Nonetheless, the proposed improvements will not encroach into nor have any impacts on lands used for agricultural production.

(3) Project implementation will not conflict with existing zoning and the property is not under a Williamson Act contract.

(4) The proposed project would not result in the conversion of Farmland to non-agricultural use.

5. INCREASED DEMAND FOR LONG-TERM WATER SUPPLIES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on long-term water supplies expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts have been disclosed in the Master EIR.

Cumulative Impacts

Effect: Operational yields of the Modesto and Turlock subbasins, both of which underlie the City of Modesto, are unknown, although the City is participating in a study with the United States Geological Survey in order to quantify the operational yields of both subbasins. Groundwater withdrawals from both basins by the City, when combined with other users' withdrawals, may result in overdrafting both subbasins.

Effect: Despite available options, during drought years, significant water shortages are forecast for the San Joaquin River basin, which includes both the Modesto and Turlock subbasins, by 2020. Modesto would make a cumulatively considerable contribution to the cumulative impact on water supply under drought conditions.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Water supply mitigation measures pertinent to the proposed project are found on pages V-5-6 through V-5-12 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-5.B of the Master EIR discloses impacts on long-term water supplies resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
INCREASED DEMAND FOR LONG-TERM WATER SUPPLIES				
1) The proposed project is inconsistent with water supply policies in the Urban Area General Plan.	[ ]	[ ]	[ ]	[X]
2) Water demand for the proposed project will exceed estimates for similar projects or for development on the project site anticipated in the Urban Area General Plan or sufficient water supplies are not otherwise available to serve the project	[ ]	[ ]	[ ]	[X]

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
from existing entitlements and resources.				
3) The proposed project would deplete groundwater supplies to a greater degree than anticipated in the Urban Area General Plan or would interfere with groundwater recharge.	[ ]	[ ]	[ ]	[X]

Discussion:

(1-3) The proposed project, as a bridge seismic retrofit, would not increase demand for water supplies. It is consistent with water supply policies in the Urban Area General Plan. The project would not impact groundwater supplies.

6. INCREASED DEMAND FOR SANITARY SEWER SERVICES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on sanitary sewer services after application of mitigations/policies:

Direct Impacts

Effect: Development resulting from implementation of the Urban Area General Plan will require substantial new sewage treatment and disposal capacity, treatment plant improvements, sewer mains and collection lines, and pump stations. The Wastewater Master Plan anticipates the need for these facilities and its EIR evaluates the impact of developing those facilities. Potential impacts include degradation of water quality through erosion and chemical releases; localized flooding; construction noise; exposure of construction workers and the public to hazardous materials; and on the habitat of the elderberry longhorn beetle, burrowing owl, and Swainson's hawk, as well as certain other regulated habitats. All of these impacts are mitigated to a less-than-significant level.

Additional impacts that are not mitigated to a less-than-significant level include loss of farmland cause by construction of the Phase IA tertiary treatment facility at the Jennings Road Secondary Treatment Facility, an increase in pollutant loads from increased wastewater flows to the San Joaquin River, and an increase in noise and criteria air pollutants due to construction activities, including traffic.

Cumulative Impacts

Effect: No additional cumulative impacts were identified in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Sewer service mitigation measures pertinent to the proposed project are found on pages V-6-3 through V-6-8 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-6.B of the Master EIR discloses impacts on the Increased Demand for Sanitary Sewer Service resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Increased Demand for Sanitary Sewer Services				
1) The proposed project is inconsistent with water supply policies in the Urban Area General Plan.	[ ]	[ ]	[ ]	[X]
2) The proposed project will generate sewage flows greater than those anticipated in the Urban Area General Plan for the project site.	[ ]	[ ]	[ ]	[X]
3) The proposed project will result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	[ ]	[ ]	[ ]	[X]

Discussion:

(1-3) The proposed project, as a bridge seismic retrofit, would not increase demand for sanitary sewer services. It is consistent with water supply policies in the Urban Area General Plan. The project would not impact groundwater supplies.

7. LOSS OF SENSITIVE WILDLIFE AND PLANT HABITAT

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on sensitive wildlife and plant habitat expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant impacts on sensitive wildlife and plan habitat are expected to occur with the application of the policies contained in the Urban Area General Plan.

Cumulative Impacts

Effect: Implementation of the Urban Area General Plan will contribute to the cumulative impact of habitat loss in the San Joaquin Valley. Requiring density development than has occurred in the past or that is expected in the future would minimize the City's contribution to the cumulative loss of habitat. Nonetheless, this is a significant and unavoidable impact.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Wildlife and plant habitat mitigation measures pertinent to the proposed project are found on pages V-7-17 through V-7-24 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes SWPH-1 through SWPH-14 from the Master EIR. In addition to these measures taken from the Master EIR, measures BIO-1 through BIO-9 have been incorporated to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-7.B of the Master EIR discloses impacts on the Loss of Sensitive Wildlife and Plant Habitat resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
LOSS OF SENSITIVE WILDLIFE AND PLANT HABITAT				
1) The project is inconsistent with the policies pertaining to the loss of sensitive wildlife and plant habitat contained in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) Consultation with the California Department of Fish and Game or the U.S. Fish and Wildlife Service determines that the project would have a significant effect on a candidate, sensitive, or special status species in excess of the impact disclosed in the Master EIR.	[ ]	[X]	[ ]	[ ]

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
3) The proposed project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means, in excess of the impact disclosed in the Master EIR.	[ ]	[X]	[ ]	[ ]
4) The proposed project would substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	[ ]	[X]	[ ]	[ ]
5) Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	[ ]	[ ]	[X]	[ ]
6) The proposed project would conflict with provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.	[ ]	[ ]	[X]	[ ]

Discussion:

A Natural Environmental Study Report (NESR) was prepared in 2002 and updated in 2009. The NESR evaluated impacts to biological resources, special status species, and wetlands. The following section summarizes the NESR findings.

(1) The project will not affect any special status plant species. The project may affect valley elderberry longhorn beetle (VELB) since elderberry plants are located within 20 ft of the work limits. Consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act was conducted. In addition, the work within the live channel of the Tuolumne River may affect Central Valley steelhead and Central Valley fall- and late fall-run Chinook salmon. The project will also result in impacts to designated critical habitat for the Central Valley steelhead and Essential Fish Habitat for the Central Valley fall- and late fall-run Chinook salmon. Consultation with the National Marine Fisheries Service under Section 7 of the Endangered Species Act and the Magnusen-Stevens Fishery Conservation Act has been completed, per concurrence letter dated November 27, 2002.

Mitigation Measure BIO-1: For lands that contain or potentially contain valley foothill riparian, riverine, wetland, grassland, and pasture habitats, site specific surveys shall be conducted by a qualified biologist to determine whether a sensitive natural communities or species are present within the proposed development area.

Surveys shall be conducted at the appropriate season to best determine the likelihood of occurrence and should employ accepted methodologies as determined by the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS). The significant results of such surveys should be recorded onto the City's existing biological resources map for future planning purposes. These surveys have been completed in conjunction with preparation of the NESR.

Mitigation Measure BIO-2: All habitat found to contain or potentially contain sensitive species shall be avoided and preserved unless doing so would create, isolate and/or fragment habitat that would not function adequately as judged by a qualified biologist and/or that the proposed development layout would be so constrained as to make the development financially infeasible; avoided habitat areas shall also be protected by fencing, signage and/or establishment of buffer zones as appropriate to the species or habitat involved. Generally, a minimum 100-foot buffer of undeveloped land would be necessary. The protected habitat shall contribute to long-term conservation of the species and ecosystems on which they depend. The NESR recommends protection of these resources to the extent practicable.

Mitigation Measure BIO-3: Where formally listed species are determined present, consultation shall be carried out with the CDFG and/or USFWS in accordance with the California and/or federal Endangered Species Acts. Where a candidate or other special status category of species is involved, informal consultation with these agencies is recommended. The recommendations of these agencies shall be incorporated into the development plan, unless overriding considerations can be demonstrated.

Mitigation Measure BIO-4: During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

Mitigation Measure BIO-5: Measures to assure the project will have no affect on VELB:

- Prior to initiation of construction, the limits of all construction and staging areas will be staked. The staked areas will be surveyed by a qualified biologist. Based on these surveys, additional refinements to construction areas will be performed as necessary to ensure a minimum 20-foot setback from the dripline of all elderberry plants.
- Once the final limits of construction are set, brightly colored fencing (i.e., snow fencing) will be installed around the perimeter (at the drip line) of all elderberry plants within 100 feet of construction areas. A qualified biologist will be present during the installation of fencing.
- Contractors will be briefed on the need to avoid damage to elderberry plants and the possible penalties for not complying with these requirements.
- During the construction period, all elderberry plants within 100 feet of construction limits will be rinsed with clean water once each week unless rainfall makes this unnecessary.
- Signs will be posted every 50 feet along elderberry avoidance areas with the following information: "This is habitat for the Valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines and imprisonment." The signs shall be clearly readable from a distance of 20 feet and maintained for the duration of the project.
- During the construction period, a qualified biologist will inspect the construction areas on a regular basis to assure that the project is not affecting any elderberry plants.

(2) The proposed seismic retrofit project will result in the loss of 0.08 acre of riparian vegetation on the south bank of the Tuolumne River during abutment widening and installation of the articulated concrete revetment. The project will also remove 20 trees greater than 6 inches diameter at breast height (dbh), which is measured at 54 inches above the ground surface, and a mature box elder stand measuring approximately 75 feet by 50 feet.

Mitigation Measure BIO-6: Prior to initiating construction, snow fence shall be installed along the ESA boundaries to prevent encroachment into the riparian areas adjacent to the construction site.

Mitigation Measure BIO-7: Following completion of construction, all graded or disturbed areas within the riparian corridor on the north bank of the Tuolumne River (approximately 0.19 acre) shall be revegetated with riparian species in accordance with the Riparian Revegetation Guidelines contained

in Appendix D of the NESR. Using an average tree spacing of 15 feet on center, approximately 36 trees will be planted throughout the 0.19 acre area that will be revegetated. These 36 trees are expected to adequately offset the removal of 20 trees during project implementation.

(3) The project will discharge fill into approximately 0.05 acre of waters of the U.S. under the jurisdiction of the Army Corps of Engineers during installation of the CIDH piles and articulated concrete revetment (on the south bank). No wetlands occur in the project area, consequently, no wetlands will be affected by the project.

The project will result in the loss of 0.08 acre of riparian vegetation under the jurisdiction of CDFG.

See Mitigation Measures BIO-6 and BIO-7.

(4) See discussion item 1.

Mitigation Measure BIO-8: At least two weeks prior to the start of construction, a qualified biologist shall survey the riparian habitat within, and adjacent to (if possible), the project area for presence of nesting birds. If any nesting activity is observed, the City shall coordinate with CDFG to determine the best course of action.

Mitigation Measure BIO-9: All work in the live stream of the Tuolumne River will be conducted between June 15 and September 15.

(5) The project will result in the removal of an estimated 20 trees. These trees are commonly found throughout the area. Removal of these trees would not conflict with any existing preservation policies or ordinances.

(6) The project would not conflict with any approved local, regional, or state habitat conservation plan.

8. DISTURBANCE OF ARCHAEOLOGICAL/HISTORICAL SITES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on archaeological/historical sites expected after application of mitigations/policies:

Direct Impacts

Effect: Modification resulting in a substantial adverse change in the significance of a historic resource or the demolition of a listed or eligible historic resource.

Effect: The modification or demolition of a structure more than 50 years in age may be significant.

Effect: Discovery of archaeological resources in areas outside of the riparian corridors, as a result of construction activities.

Effect: Construction in an area of high archaeological sensitivity.

Cumulative Impacts

Effect: No additional cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Archaeological or historic mitigation measures pertinent to the project being analyzed in this Initial Study are found on page V-8-16 through V-8-20 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Applied to Project:

Discussion:

The appropriate mitigation to be applied to this project includes: AH-1 through AH-17 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-8.B of the MEIR discloses impacts on archaeological/historical resources resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project -specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
DISTURBANCE OF ARCHAEOLOGICAL/HISTORICAL SITES				
1) The proposed project is inconsistent with the archaeological/historical resource policies in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project would demolish a building eligible for listing as a historic resource or remove a landmark from the Modesto inventory.	[ ]	[ ]	[ ]	[X]
3) The proposed project would modify or demolish a structure more than 50 years in age.	[ ]	[ ]	[X]	[ ]
4) The project would adversely affect a cultural resource that is either listed or eligible for listing in the California Register of Historical Resources.	[ ]	[ ]	[X]	[ ]

Discussion:

A Historic Property Survey Report (HPSR) and Archaeological Survey Report (ASR) were prepared by LSA Associates, in April 26, 2002. The findings below are summarized from the HPSR and ASR.

(1) The proposed project is consistent with the archaeological and historical resource policies in the Urban Area General Plan.

(2) The proposed project would not demolish any buildings eligible for listing as a historic resource, nor would it remove a landmark from the Modesto inventory.

(3) The original bridge structure was built in 1960 and, therefore, does not exceed the 50-year threshold for considering historic significance. Historic and pre-historic surveys and analyses are proposed to determine the potential adverse effect on the resources and the potential eligibility listing on the National Register of Historic Places. Caltrans also has determined that the Carpenter Road Bridge is ineligible for the National Register of Historic Places, and additional bridge evaluations for historic review are not required (Category 5 bridge). Likewise, the bridge is not an historic landmark under the City of Modesto Landmark Preservation guidelines, Modesto Code Chapter 10, Article 9-10.01 through 9-10.09.

(4) The proposed bridge replacement project would not disturb any archaeological or historic sites that have been identified in the Disturbance of Archaeological or Historical Sites section of the MEIR. However, the MEIR indicates that the proposed bridge is located within the Archaeological Resource Study Area, which shows areas that may require additional site specific investigations. Historic and pre-historic surveys have been conducted and produced negative findings in the project area. A pet cemetery is located adjacent to the project site to the southeast; however, this area will not be impacted by the project and will be protected using Environmentally Sensitive Area (ESA) fencing.

9. INCREASED DEMAND FOR STORM DRAINAGE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on storm drainage expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: The population of Stanislaus County is projected to increase in a fashion similar to that of Modesto, resulting in additional urban development and associated increases in impervious surface area and associated increases in storm water runoff. Cumulative hydrologic impacts of storm water flows from Modesto urban areas and other areas of the County could occur due to the fixed capacity of MID and TID irrigation canals to convey drainage west to the San Joaquin River. If drainage channels in some areas prove insufficient to handle the increased drainage discharges, existing storm water runoff from urban and agricultural areas during large storm events would have to be interrupted until water levels receded to a point allowing the resumption of discharges to the channel. Ceasing discharges to drainage channels could cause inundation in and around the drainage

conveyance pipeline systems, surface drainage channels, detention basins, and other urban areas. This cumulative impact is considered significant and unavoidable.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Storm Drainage mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-9-4 through V-9-9. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project:

Discussion:

The appropriate mitigation to be applied to this project includes: SD-1 and SD-5 through SD-17 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-9.B of the MEIR discloses impacts on the demand for storm drainage resulting from development of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
INCREASED DEMAND FOR STORM DRAINAGE				
1) The proposed project is inconsistent with the storm drainage policies in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project would substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite, as compared to impacts anticipated to result from the Urban Area General Plan or create substantial unanticipated sources of polluted runoff.	[ ]	[ ]	[X]	[ ]
3) The proposed project does not utilize Low Impact Development strategies to reduce runoff from the site and increase infiltration, resulting in no net increase in runoff before and after development.	[ ]	[ ]	[ ]	[X]

Discussion:

(1) The proposed project is consistent with the storm drainage policies in the Urban Area General Plan.

(2) The proposed bridge project would not present any new impacts that have not already been addressed in the MEIR. The Mitigation Measures would reduce the impacts of increased runoff within the baseline developed area to a less than significant level. The Existing Conditions, Impacts Analysis and Mitigation Measures listed in the MEIR for the Increased Demand for Storm Drainage (pages (V-10-1 through V-10-8) are, therefore, still valid.

(3) The proposed project is a seismic retrofit of the Carpenter Road Bridge. The project includes widening the existing bridge which would increase storm water runoff in the project area. Low Impact Development strategies normally used in urban development do not apply to a project like this, and the increase in storm water runoff would be considered a less than significant impact considering the low amount of impervious surfaces in and around the project area.

10. FLOODING AND WATER QUALITY

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on flooding and water quality expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Flooding and Water Quality mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-10-6 through V-10-9 of the Master EIR. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Applied to Project:

Discussion:

The appropriate mitigation to be applied to this project includes: FWQ-2 through FWQ-6 and FWQ-11 through FWQ-15 from the Master EIR. In addition to these measures taken from the Master EIR, measures HYDRO-1 through HYDRO-3 have been incorporated to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-10.B of the Master EIR provides analysis of Flooding and Water Quality impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
FLOODING AND WATER QUALITY				
1) The proposed project is inconsistent with the flooding and water quality policies in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project does not comply with the regulatory requirements of the federal Clean Water Act or the State Porter-Cologne Act.	[ ]	[ ]	[X]	[ ]
3) The proposed project would place more housing within a 100-year flood hazard zone than assumed in the Urban Area General Plan.	[ ]	[ ]	[ ]	[X]
4) The proposed project would place structure within a 100-year flood hazard area so that they would impede or redirect floodwater or would substantially alter the existing on-site drainage pattern or a watercourse, in such a way as to cause flooding on- or offsite.	[ ]	[X]	[ ]	[ ]
5) The proposed project does not comply with Modesto's Guidance Manual for New Development Storm Water Quality Control Measures.	[ ]	[ ]	[ ]	[X]
6) The proposed project would violate water quality standards or waste discharge requirements.	[ ]	[X]	[ ]	[ ]
7) The proposed project would substantially alter the existing drainage pattern of the site or area or a watercourse in a manner that would result in substantial erosion or siltation on- or offsite in excess of the assumptions of the Urban Area General Plan.	[ ]	[ ]	[ ]	[X]
8) The proposed project would create or contribute runoff, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff, not expected as part of Urban Area General Plan implementation.	[ ]	[ ]	[ ]	[X]

Discussion:

(1) The proposed project is consistent with the flooding and water quality policies in the Urban Area General Plan.

(2) The Tuolumne River is protected under the Clean Water Act (CWA) and the Porter Cologne Water Quality Control Act. This resource is regulated by the Army Corps of Engineers under Section 404 of the CWA, Central Valley Regional Water Quality Control Board under Section 401 of the CWA, the Environmental Protection Agency under Section 402 of the CWA and the

California Department of Fish and Game under 1602 of the California Fish and Game Code. The project will be required to obtain permits from each of these regulatory agencies prior to any construction activities that have the potential to impact the River and associated riparian habitats within the proposed project area. It is necessary that the proposed project comply with all measures identified in these permits.

(3) No housing units are proposed as part of the bridge replacement project.

(4) The project area is subject to 100-year flooding conditions. A hydrologic and hydraulic analysis was prepared by West Consultants, Inc., in March 2001 to ensure that the retrofit bridge structures will not adversely impact the flood plain, and that the bridge structures will be adequately designed to withstand the forces associated with flooding pressure. The project is located within an area subject to 100-year flooding conditions.

Mitigation Measure HYDRO-1: The City of Modesto is advised that it is required to submit a letter of map revision request (LOMR) to FEMA because the proposed project involves construction in the regulatory floodway. In addition, FEMA regulations require that there be no increase in the water surface elevations for projects involving construction in the regulatory floodway. If there is an increase in the base flood elevations because of a project, the City would need to submit additional evidence to FEMA in accordance with the National Flood Insurance Program regulations outlined in 44 CFR, Section 65.12. Therefore, mitigation has been proposed by the project engineer to achieve no impact to the flood levels.

- Install a closed-cell type articulated concrete block (ACB) revetment to protect the Abutment 1, instead of a rock riprap revetment which was proposed in the design plans. A closed-cell Armorflex block system was chosen. This type of protection results in a smoother surface and decreases the roughness through the bridge. The modeled results indicate that the ACB revetment option mitigates the increased water surface elevations for both the 50-year and 100-year flood simulations.

(5) The City of Modesto's Guidance Manual for New Development is designed for urban and rural development and would not apply for a bridge seismic retrofit project.

(6) Bridge retrofitting could cause disturbances to the ground surface from earthwork potentially increasing the amount of sediments entering into the Tuolumne River. Runoff during the winter rainy season is of greater concern due to the potential erosion of unprotected/graded surfaces. Sediments suspended in runoff would be carried downstream, where if not controlled, could accumulate in downstream wetlands areas and water courses, potentially harming the aquatic ecosystem and spawning areas. However, in light of the short project construction period within the river (approximately 3-4 months), and minimal surface disturbance, it is unlikely that a significant quantity of sediments would be eroded and flushed into the drainage system.

Sediments can be adequately controlled, even during the rainy season, thus eliminating issues regarding erosion and sedimentation damage. Therefore, the bridge retrofit project is not expected to increase the quantity of suspended fine materials that could alter water quality with the implementation of proposed BMPs for controlling storm runoff.

These potential water quality effects are considered avoidable, and can be reduced through implementation of BMPs and compliance with existing regulatory requirements. Based on this analysis and implementation of BMPs, the project will not significantly impact the beneficial uses of surface waters or groundwater within the vicinity of the project.

Mitigation Measure HYDRO-2: Implementation of the following BMPs will reduce the potential for impacts upon water quality.

- Provide berms along the tops of slopes to prevent water from running uncontrolled down the slopes.
- Collect the water in these berms and take it down the slopes in an erosion-proof drainage system.
- Provide energy dissipaters and erosion control pads at the bottom of down drains.
- Install permanent landscaping, as soon as practical, after the completion of grading.

Mitigation Measure HYDRO-3: The following measures shall be included in the project drainage plans:

- The drainage plan shall include water quality control measures to ensure minimized contaminants in waters discharged to surface streams or percolated into the ground.
- The water quality control measures shall address both construction and operation periods.
- Fluvial erosion related to construction is controlled by a construction erosion control program which shall be filed with the City Utility Planning and Projects Department and kept current throughout any site development phase.
- The erosion control program shall include best management practices as appropriate, given the specific circumstances of the site and/or project.

(7) Construction of the proposed project is not expected to significantly alter the existing drainage patterns of the site.

(8) The proposed bridge project would not present any new impacts that have not already been addressed in the MEIR. The Mitigation Measures would reduce the impacts of increased runoff within the baseline developed area to a less than significant level. The Existing Conditions, Impacts Analysis and Mitigation Measures listed in the MEIR for the Increased Demand for Storm Drainage (pages (V-10-1 through V-10-8) are, therefore, still valid.

11. INCREASED DEMAND FOR PARKS AND OPEN SPACE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on parks and open space expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Parks and open space mitigation measures pertinent to the proposed project are found on pages V-11-3 through V-11-9 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Applied to Project:

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-11.B of the MEIR discloses impacts of the Urban Area General Plan on parks and open space. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. Project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
INCREASED DEMAND FOR PARKS AND OPEN SPACE				
1) The proposed project is inconsistent with the parks and open space policies in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project would eliminate parks or open space.	[ ]	[ ]	[X]	[ ]
3) The proposed project would cause an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility in question would occur or be accelerated or the proposed project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	[ ]	[ ]	[X]	[ ]

Discussion:

(1) The proposed project is consistent with the parks and open space policies in the Urban Area General Plan.

(2) The proposed bridge retrofit project extends through a future regional park project. To the extent that the park is undeveloped, and a Master Plan effort has been initiated to establish park uses, design, development standards, etc., short- and long-term operations involving bridge retrofit improvements are not predicted to be significant impacts. Short term temporary use of some park land may be required for use as a staging area; however since the park is not developed and any disturbed land would be returned to its original preconstruction condition, the impact would not be significant.

(3) Bridge features extend through the site proposed for the Tuolumne River Regional Park. However, the proposed retrofit project will not impact the future park and would not result in an increase in use of existing neighborhood or regional parks.

12. INCREASED DEMAND FOR SCHOOLS

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on school facilities expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR. By statute, the impact of new students is considered to be mitigated below a level of significance by payment of school impact fees and the exercise of any or all of the financing options set out in Government Code Section 65997.

Cumulative Impacts

Effect: Similar to direct impacts of implementation of the Urban Area General Plan, no residual significant direct impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Mitigation relies upon the implementation of the policies in place under the Modesto Urban Area General Plan. As long these policies are applied to all subsequent projects, no new mitigation is necessary. Further, payment of school impact fees and compliance with SB 50 is statutorily deemed to be full mitigation of school impacts (Government Code Section 65995).
The following schools mitigation measures on pages V-12-5 through V-12-7 of the Master EIR are pertinent to the proposed project. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project. Those measures are listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-12.B of the Master EIR discloses impacts resulting from implementation of the Urban Area General Plan associated with increased demand for schools. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
INCREASED DEMAND FOR SCHOOLS				
1) The proposed project is inconsistent with the policies relating to schools in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project does not comply with SB 50/Proposition 1A funding provisions, or succeeding measures which state that compliance results in less-than-significant impacts on schools.	[ ]	[ ]	[ ]	[X]

Discussion:

(1) The proposed project would not result in an increase in students or enrollment to Modesto City Schools. The MEIR has determined that the mitigation measures for this impact adequately mitigate the impacts to a less than significant level." Thus Existing Conditions, Impacts Analysis and the Mitigation Measures listed in the MEIR for the Increased Demand for Schools (pages V-12-1 through V-12-11) are, therefore, still valid.

(2) The proposed project, a bridge seismic retrofit, would have no impacts on compliance with SB50/Proposition 1A funding provisions, or succeeding measures which state that compliance results in less than significant impacts on schools.

13. INCREASED DEMAND FOR POLICE SERVICES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on police services expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Police services mitigation measures pertinent to the proposed project are found on pages V-13-2 through V-13-5 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-13.B of the Master EIR discloses impacts on police services resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
INCREASED DEMAND FOR POLICE SERVICES				
1) The proposed project is inconsistent with policies relating to police services in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project would result in the need for new or significantly altered facilities not considered as part of the Urban Area General Plan or Master EIR which could cause new significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives.	[ ]	[ ]	[ ]	[X]

Discussion:

(1) The proposed project would have a less than significant impact upon the need for additional police services to the project area. The Existing Conditions, Impacts Analysis and the Mitigation Measures listed in the MEIR for Increased Demand for Police Services (pages V-13-1 through V-13-8) are, therefore, still valid.

(2) The proposed project, a bridge seismic retrofit, would not impact the need for new or significantly altered facilities not considered as a part of the Urban Area General Plan or MEIR which could cause new impacts in order to maintain acceptable police services.

14. INCREASED DEMAND FOR FIRE SERVICES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on fire services expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Fire Services mitigation measure(s) pertinent to the project being analyzed in this Initial Study are found on pages V-14-4 through V-14-7 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-14.B of the Master EIR discloses impacts on fire services resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
INCREASED DEMAND FOR FIRE SERVICES				
1) The proposed project is inconsistent with the fire service policies in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project would result in the need for new or significantly altered facilities not considered as part of the Urban Area General Plan or Master EIR which could cause new significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives.	[ ]	[ ]	[ ]	[X]
3) The proposed project, based upon substantial evidence, would cause the erosion or elimination of fire protection services in adjoining fire protection districts.	[ ]	[ ]	[ ]	[X]

Discussion:

(1) The proposed project would have a less than significant impact upon the need for additional fire services to the project area. The Existing Conditions, Impacts Analysis and the Mitigation Measures listed in the MEIR for Increased Demand for Fire Services (pages V-14-1 through V-14-9) are, therefore, still valid.

(2) The proposed project, a bridge seismic retrofit, would not impact the need for new or significantly altered facilities not considered as a part of the Urban Area General Plan or MEIR which could cause new impacts in order to maintain acceptable fire protection services.

(3) The proposed project, a bridge seismic retrofit, would not cause the erosion or elimination of fire protection services in adjoining fire protection districts.

15. GENERATION OF SOLID WASTE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on solid waste expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Solid waste mitigation measures pertinent to the proposed project are found on pages V-15-4 through V-15-7 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes SW-1 and SW-3 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-15.B of the Master EIR discloses solid waste impacts resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. Project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
GENERATION OF SOLID WASTE				
1) The project is inconsistent with the solid waste policies in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The County is unable to expand its solid waste disposal capacity, as expected, causing all new development to result in cumulative impacts on the County's disposal capacity.	[ ]	[ ]	[X]	[ ]

Discussion:

(1) The project is consistent with the solid waste policies in the Urban Area General Plan.

(2) The proposed project would not result in the generation of solid waste that cannot be accommodated at existing local facilities. All solid waste generated as a result of the proposed project would be from construction and demolition and would be a temporary need. Where possible, all of the concrete from the demolition of the current bridge should be recycled at Modesto Sand and Gravel, rather than being disposed of at the landfill.

16. GENERATION OF HAZARDOUS MATERIALS

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts regarding hazardous materials expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Hazardous materials mitigation measures pertinent to the proposed project are found on pages V-16-8 through V-16-13 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes HM-3, HM-5, HM-12, HM-13, HM-14, HM-17, HM-18, and HM-19 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-16.B of the Master EIR discloses impacts on hazardous materials resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
GENERATION OF HAZARDOUS MATERIALS				
1) The project is inconsistent with the hazardous materials policies in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	[ ]	[ ]	[X]	[ ]
3) The proposed project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would create a significant hazard to the public or the environment.	[ ]	[ ]	[X]	[ ]
4) The proposed project would be constructed on a contaminated site not known to the State of California as of March 2008.	[ ]	[ ]	[X]	[ ]

Discussion:

(1) In the construction process, there is the potential for removal of some hazardous materials. Potentially hazardous materials include lead based paint found in the lane striping, and asbestos found in some of the construction materials of the existing bridge (bridge pads, etc). Removal of these materials will be done using standard Best Management Practices and all potentially hazardous materials removed in this way will be properly disposed of by the contractor.

Retrofitting the bridge would involve the use of heavy equipment, the construction of a reinforced concrete span and roadway. Hazardous materials such as fuel, asphalt, and solvents would be used during construction. These materials would be used in accordance with all applicable laws and regulations and, if used properly, would not pose a hazard to people, animals, or plants. The use of hazardous materials would be temporary and the proposed project would not include a permanent use or source of hazardous materials.

(2) All hazardous materials used during project construction would be handled in accordance with applicable laws and regulations and this impact would be less than significant.

(3) Preliminary indication reveals that there is no evidence of any issues or concerns with regard to the use or storage of hazardous waste materials, etc. Past agricultural production on the adjacent flood plain area would have employed the use of herbicides, pesticides and fertilizers, and residual amounts of those contaminants may still be detected in surface soils. In general, there is no evidence of hazardous wastes contamination detected in the area. The potential for hazardous waste discharge is very low due to the largely undeveloped lands that characterize the project area.

(4) The only hazardous waste site in the vicinity of the project is the City of Modesto Landfill located on the north side of the project to the east and west of the project area. The landfill will be avoided and ESA fencing will be used to ensure construction vehicles do not impact landfill area.

17. GEOLOGY, SOILS, AND MINERAL RESOURCES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts related to geology, soils, and mineral resources expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Geology, soils, and mineral resource mitigation measures pertinent to the proposed project are found on pages V-17-9 and V-17-10 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of the proposed project are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes GSM-3, GSM-4, GSM-6, GSM-10, and GSM-11 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-17.B of the Master EIR discloses geology, soils, and mineral resource impacts resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. Project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY, SOILS, AND MINERAL RESOURCES				
1) The project is inconsistent with policies relating to geology, soils, and mineral resources contained in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project would expose people or structures to potential substantial adverse effects including the risk off loss, injury, or death involving fault rupture, strong seismic activity; location on an expansive soil; result in the loss of topsoil; location on soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater; result in the loss of known mineral resources that would be of value to the region and the state; or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.	[ ]	[ ]	[X]	[ ]

Discussion:

(1-2) Although the bridge is not located within an area delineated on the Alquist-Priolo Earthquake Fault Zoning Map or within the area of a known fault, California is an area of seismic activity and the proposed bridge could be subject to seismic hazards or ground failure in the event of a seismic event. Seismic design studies were previously completed for the retrofit project.

In conjunction with the engineering design, any construction which occurs as a result of the project must conform with the current Caltrans standards, which address seismic safety of new structures and slope.

The proposed bridge retrofit project would not expose people to landslides or earthquake related hazards such as liquefaction beyond those identified in the MEIR. The bridge will meet current seismic design standards, retrofitting the existing bridge that does not meet those standards. As a result of the improved bridge, safety considerations will be enhanced for persons using the bridge, significantly reducing the risk of bridge failure during a seismic event. The Existing Conditions, Impacts Analysis and the Mitigation Measures listed in the MEIR for the Landslides and Seismic Activity (pages V-17-1 through V-17-11) are, therefore, still valid.

18. ENERGY

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts pertaining to energy expected after application of mitigations/policies:

Direct Impacts

Effect: Continued development in the Planned Urbanizing Area would have an impact on available energy supplies. Energy consumption likely would increase substantially by 2025 as a result of implementation of the Urban Area General Plan.

Cumulative Impacts

Effect: Implementation of the Urban Area General Plan will have a cumulatively considerable impact on energy consumption.

b. Master EIR and/or New Mitigation Measures Applied to the Project

The following energy mitigation measures pertinent to the proposed project are found on pages V-18-2 through V-18-8 in the Master EIR. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project. Those measures will be listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes E-6, E-10, E-15, and E-16 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-18.B of the Master EIR discloses impacts of implementing the Urban Area General Plan on energy resources. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ENERGY				
1) The proposed project is inconsistent with policies relating to energy in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project would result in energy consumption during construction, operation, maintenance, or removal that is more wasteful, inefficient, and unnecessary than assumed in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]

Discussion:

(1) The proposed project is consistent with the policies relating to energy in the Urban Area General Plan.

(2) Construction activities for this project would be temporary and would be considered a less than significant impact to energy consumption in the area. In addition, energy conservation and reduction Best Management Practices will be used according to the California Department of Transportation Standards.

19. EFFECTS ON VISUAL RESOURCES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on visual resources expected after application of mitigations/policies:

Direct Impacts

Effect: New development in the Planned Urbanizing Area will occur in areas that are in agricultural production or are otherwise lightly developed, which could lead to the introduction of light and glare in areas that have little nighttime illumination.

Cumulative Impacts

Effect: No additional cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

The following visual resources mitigation measures pertinent to the proposed project are found on pages V-19-3 and V-19-4 in the Master EIR. All mitigation measures appropriate to the proposed project will be incorporated into or made conditions of approval of this project. Those measures will be listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes VR-1, VR-6, VR-8, and VR-9 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-18.B of the Master EIR discloses impacts of implementing the Urban Area General Plan on energy resources. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VISUAL RESOURCES				
1) The proposed project is inconsistent with policies relating to visual resources in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project would degrade views from riverside areas and parks to a greater degree than assumed in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
3) The proposed project would degrade views of riverside areas from public roadways and nearby properties to a greater degree than assumed in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]

Discussion:

(1) The proposed project is consistent with policies relating to visual resources in the Urban Area General Plan.

(2-3) The prominent scenic areas and resources involve the Tuolumne River resource. Natural aesthetic characteristics associated with riparian vegetation and river flow within the river corridor establish high scenic value for the project area.

On the adjacent flood plain, vacant and undeveloped lands have little aesthetic value at the present time. Upon implementation of the Tuolumne River Regional Park plan, the combination of natural aesthetic value from river resources, combined with developed park features, will significantly enhance the aesthetic value of the area. The project is adjacent to these resources and will not have an effect on any planned features.

20. LAND USE AND PLANNING

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts pertaining to land use and planning expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

The following land use and planning mitigation measures pertinent to the proposed project are found on pages V-20-6 through V-20-17 in the Master EIR. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project. Those measures will be listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-20.B of the Master EIR discloses impacts of implementing the Urban Area General Plan on land use and planning. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
LAND USE AND PLANNING				
1) The proposed project is inconsistent with land use and planning policies in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project contains elements that would physically divide an established community in a way not assumed in the Urban Area General Plan.	[ ]	[ ]	[ ]	[X]
3) The proposed project conflicts with a land use plan, policy or regulation established for the purpose of avoiding or mitigating an environmental impact by an agency that has jurisdiction over the proposed project.	[ ]	[ ]	[X]	[ ]
4) The proposed project conflicts with an applicable habitat conservation plan or natural community conservation plan.	[ ]	[ ]	[X]	[ ]

Discussion:

(1) The proposed project is consistent with land use and planning policies in the Urban Area General Plan.

(2) The project would retrofit the existing Carpenter Road bridge and would not physically divide an established community.

(3) The project is consistent with the long-range plans envisioned by the City of Modesto and Stanislaus County for this region. Carpenter Road is currently a minor arterial with two travel lanes; however, the Modesto General Plan designates this road as a six-lane principal arterial based on the 2030 build out. Bridge retrofitting would not change bridge's status as a minor arterial.

The Tuolumne River at this location is State-owned land under the jurisdiction of the California State Lands Commission. A 49 year lease was issued to the County of Stanislaus for the Carpenter Road Bridge beginning on June 18, 1958. The lease expired on June 17, 2007. The County of Stanislaus has submitted an application to obtain a new lease for the bridge; however, additional information is required before a lease can be issued. In order to remain consistent with the requirements of the lease renewal between the State Lands Commission and the County of Stanislaus, the City of Modesto will provide project description and other information to include in the amended lease application.

(4) The bridge would be located in the vicinity of the proposed Tuolumne River Regional Park and within the area covered by the park plan. The bridge would comply with the policies of the Tuolumne River Regional Park Plan.

21. CLIMATE CHANGE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts pertaining to climate change expected after application of mitigations/policies:

Direct Impacts

Effect: Impacts resulting from implementation of the Urban Area General Plan are not substantial enough to result in a significant direct impact on climate change, as disclosed in the Master EIR.

Cumulative Impacts

Effect: Implementation of the Urban Area General Plan will have a cumulatively considerable impact on climate change.

b. Master EIR and/or New Mitigation Measures Applied to the Project

The following climate change mitigation measures pertinent to the proposed project are found on pages V-21-7 through V-21-10 in the Master EIR. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project. Those measures will be listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes CL-2, CL-3, CL-5, and CL-13 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-18.B of the Master EIR discloses impacts of implementing the Urban Area General Plan on climate change. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
CLIMATE CHANGE				
1) The proposed project is inconsistent with policies relating to climate change in the Urban Area General Plan.	[ ]	[ ]	[X]	[ ]
2) The proposed project would result in average automobile trip lengths or CO_2 emissions higher than those assumed in the Master EIR.	[ ]	[ ]	[X]	[ ]
3) The proposed project would conflict with the Sustainable Communities Strategy or Alternative Planning Strategy that the Air Resources Board has agreed will achieve the goals of AB 32.	[ ]	[ ]	[X]	[ ]

Discussion:

(1) The proposed project is consistent with policies relating to climate change in the Urban Area General Plan.

(2) In addition to adherence to local, regional, and state standards for pollutants shows in Table 2 above, all projects under CEQA are required to identify any potential impacts the project may have on Climate Change and emission of Green House Gasses (GHG). Senate Bill No. 97, Chapter 185, amended CEQA guidelines to be able to address GHG and Climate Change. The California Global Warming Solutions Act of 2006 (AB 32) designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gasses that cause global warming in order to reduce emission of greenhouse gasses. Common GHG include vapor, carbon dioxide, methane, nitrous oxides, chlorofluorocarbons, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, ozone, and aerosols.

As discussed in Section 2 – Air Quality, the project will not have any significant permanent or temporary impacts to air quality with inclusion of Best Management Practices and applicable MEIR measures. For the same reasons, the project will not have any significant impacts on Climate Change. Construction related GHG emissions would be short term and would be reduced both by the MEIR measures listed in Section 2 and in this section. Since the purpose of the project is to improve safety of the existing bridge over the Tuolumne River, and because the proposed retrofit would not add additional travel lanes or result in traffic volume increases, no additional significant GHG emissions are expected as a result of the project.

V. MITIGATION MEASURES APPLIED TO THE PROPOSED PROJECT

If the Initial Study results in the determination that a Finding of Conformance can be adopted for the proposed project Section A below applies. If the Initial Study results in the determination that a Finding of Conformance cannot be adopted and a Mitigated Negative Declaration/EIR must be prepared for the project then Section B, below applies.

A. Master EIR Mitigation Measures Applied to the Project

Pursuant to Public Resources Code Section 21157.1(c), in order for a Finding of Conformance to be made, all appropriate mitigation measures from the Master EIR shall be incorporated into the proposed project. Urban Area General Plan Policies/Master EIR mitigation measures shall be made part of the proposed project prior to approval by means of conditions of project approval or incorporation into the appropriate document or plan.

All applicable and appropriate measures and policies have been applied to the project (see table below). Measures and policies that require further action have also been included in the Mitigation and Monitoring Report Plan in Appendix A.

	Measures and Policies - No Further Action	**Measures and Policies - Action Needed**
Traffic and Circulation	TC-6, TC-9, TC-12, TC-13, TC-20, TC-27, TC-34, TC-39	None
Air Quality	None	AQ-42, AQ-43, AQ-44, AQ-46, AQ-47, AQ-48, AQ-49, AQ-50
Noise	N-1, N-2, N-4, N-6, N-8, N-9, N-13, N-14	N-3, N-10
Sensitive Habitat and Wildlife	SWPH-1, SWPH-2,SWPH-3,SWPH-5,SWPH-7,SWPH-8,SWPH-9,SWPH-10,SWPH-11,SWPH-12,SWPH-13, SWPH-14	SWPH-4,SWPH-6
Archaeological/Historical	AH-1 through AH-15, AH-17	AH-16
Storm Drainage	SD-1 through SD-17	None
Flooding/Water Quality	FWQ-5, FWQ-6, FWQ-11, FWQ-12, FWQ-14, FWQ-15	FWQ-2, FWQ-3, FWQ-4, FWQ-13
Solid Waste	SW-1, SW-3	None
Hazardous Waste	HW-3, HW-13, HW-14, HW-19	HW-5, HW-12, HW-17, HW-18
Geology/Soils	GSM-3, GSM-4, GSM-6, GSM-10, GSM-11	None
Energy	E-6, E-10, E-15, E-16	None
Visual Resources	VR-1, VR-6, VR-8, VR-9	None
Climate Change	CL-2, CL-3, CL-5, CL-13	None

B. New or Additional Mitigation Measures or Alternatives Required

Where the project's effects would exceed the significance criteria for each environmental impact category, a mitigated negative declaration or Focused EIR must be prepared. Staff has reviewed the

project against the significance criteria thresholds established in the Master EIR for all impact categories in this Initial Study.

A Mitigated Negative Declaration or Focused EIR shall be prepared for the project. The following additional project-specific mitigation measures listed below are necessary to reduce the identified new significant effect:

Traffic and Circulation:

None.

Degradation of Air Quality:

None.

Generation of Noise:

Mitigation Measure NOI-1: During construction, the noise level from the Contractor's operations, between the hours of 9:00 p.m. and 7:00 a.m., shall not exceed 86 dBA at a distance of 35 feet. In addition, pile driving and jackhammer activities shall be prevented between 9:00 p.m. and 7:00 a.m. to minimize the noise disturbances on nearby residential receptors during the nighttime hours. This requirement shall not relieve the Contractor from responsibility for complying with local ordinances regulating noise level.

The noise level requirement shall apply to the equipment on the job or related to the job, including but not limited to trucks, transit mixers or transient equipment that may or may not be owned by the Contractor. The use of loud sound signals shall be avoided in favor of light warnings except those required by safety laws for the protection of personnel.

Effects on Agricultural Lands:

None.

Increased Demand for Long-Term Water Supplies:

None.

Increased Demand for Sanitary Sewer Services:

None.

Loss of Sensitive Wildlife and Plant Habitat:

Mitigation Measure BIO-1: For lands that contain or potentially contain valley foothill riparian, riverine, wetland, grassland, and pasture habitats, site specific surveys shall be conducted by a qualified biologist to determine whether a sensitive natural communities or species are present within the proposed development area.

Surveys shall be conducted at the appropriate season to best determine the likelihood of occurrence and should employ accepted methodologies as determined by the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS). The significant results of such surveys

should be recorded onto the City's existing biological resources map for future planning purposes. These surveys have been completed in conjunction with preparation of the NESR.

Mitigation Measure BIO-2: All habitat found to contain or potentially contain sensitive species shall be avoided and preserved unless doing so would create, isolate and/or fragment habitat that would not function adequately as judged by a qualified biologist and/or that the proposed development layout would be so constrained as to make the development financially infeasible; avoided habitat areas shall also be protected by fencing, signage and/or establishment of buffer zones as appropriate to the species or habitat involved. Generally, a minimum 100-foot buffer of undeveloped land would be necessary. The protected habitat shall contribute to long-term conservation of the species and ecosystems on which they depend. The NESR recommends protection of these resources to the extent practicable.

Mitigation Measure BIO-3: Where formally listed species are determined present, consultation shall be carried out with the CDFG and/or USFWS in accordance with the California and/or federal Endangered Species Acts. Where a candidate or other special status category of species is involved, informal consultation with these agencies is recommended. The recommendations of these agencies shall be incorporated into the development plan, unless overriding considerations can be demonstrated.

Mitigation Measure BIO-4: During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

Mitigation Measure BIO-5: Measures to assure the project will have no affect on VELB:

- Prior to initiation of construction, the limits of all construction and staging areas will be staked. The staked areas will be surveyed by a qualified biologist. Based on these surveys, additional refinements to construction areas will be performed as necessary to ensure a minimum 20-foot setback from the dripline of all elderberry plants.
- Once the final limits of construction are set, brightly colored fencing (i.e., snow fencing) will be installed around the perimeter (at the drip line) of all elderberry plants within 100 feet of construction areas. A qualified biologist will be present during the installation of fencing.
- Contractors will be briefed on the need to avoid damage to elderberry plants and the possible penalties for not complying with these requirements.
- During the construction period, all elderberry plants within 100 feet of construction limits will be rinsed with clean water once each week unless rainfall makes this unnecessary.
- Signs will be posted every 50 feet along elderberry avoidance areas with the following information: "This is habitat for the Valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines and imprisonment." The signs shall be clearly readable from a distance of 20 feet and maintained for the duration of the project.
- During the construction period, a qualified biologist will inspect the construction areas on a regular basis to assure that the project is not affecting any elderberry plants.

Mitigation Measure BIO-6: Prior to initiating construction, snow fence shall be installed along the ESA boundaries to prevent encroachment into the riparian areas adjacent to the construction site.

Mitigation Measure BIO-7: Following completion of construction, all graded or disturbed areas within the riparian corridor on the north bank of the Tuolumne River (approximately 0.19 acre) shall be revegetated with riparian species in accordance with the Riparian Revegetation Guidelines contained in Appendix D of the NESR. Using an average tree spacing of 15 feet on center, approximately 36 trees will be planted throughout the 0.19 acre area that will be revegetated. These 36 trees are expected to adequately offset the removal of 20 trees during project implementation.

Mitigation Measure BIO-8: At least two weeks prior to the start of construction, a qualified biologist shall survey the riparian habitat within, and adjacent to (if possible), the project area for presence of nesting birds. If any nesting activity is observed, the City shall coordinate with CDFG to determine the best course of action.

Mitigation Measure BIO-9: All work in the live stream of the Tuolumne River will be conducted between June 15 and September 15.

Disturbance of Archaeological/Historic Sites:

None.

Increased Demand for Storm Drainage:

None.

Flooding and Water Quality:

Mitigation Measure HYDRO-1: The City of Modesto is advised that it is required to submit a letter of map revision request (LOMR) to FEMA because the proposed project involves construction in the regulatory floodway. In addition, FEMA regulations require that there be no increase in the water surface elevations for projects involving construction in the regulatory floodway. If there is an increase in the base flood elevations because of a project, the City would need to submit additional evidence to FEMA in accordance with the National Flood Insurance Program regulations outlined in 44 CFR, Section 65.12. Therefore, mitigation has been proposed by the project engineer to achieve no impact to the flood levels.

- Install a closed-cell type articulated concrete block (ACB) revetment to protect the Abutment 1, instead of a rock riprap revetment which was proposed in the design plans. A closed-cell Armorflex block system was chosen. This type of protection results in a smoother surface and decreases the roughness through the bridge. The modeled results indicate that the ACB revetment option mitigates the increased water surface elevations for both the 50-year and 100-year flood simulations.

Mitigation Measure HYDRO-2: Implementation of the following BMPs will reduce the potential for impacts upon water quality.

- Provide berms along the tops of slopes to prevent water from running uncontrolled down the slopes.
- Collect the water in these berms and take it down the slopes in an erosion-proof drainage system.
- Provide energy dissipaters and erosion control pads at the bottom of down drains.
- Install permanent landscaping, as soon as practical, after the completion of grading.

Mitigation Measure HYDRO-3: The following measures shall be included in the project drainage plans:

- The drainage plan shall include water quality control measures to ensure minimized contaminants in waters discharged to surface streams or percolated into the ground.
- The water quality control measures shall address both construction and operation periods.
- Fluvial erosion related to construction is controlled by a construction erosion control program which shall be filed with the City Utility Planning and Projects Department and kept current throughout any site development phase.

- The erosion control program shall include best management practices as appropriate, given the specific circumstances of the site and/or project.

Increased Demand for Parks and Open Space:

None.

Increased Demand for Schools:

None.

Increased Demand for Police Services:

None.

Increased Demand for Fire Services:

None.

Generation of Solid Waste:

None.

Generation of Hazardous Materials:

None.

Geology, Soils, and Mineral Resources:

None.

Energy:

None.

Effects on Visual Resources:

None.

Land Use and Planning:

None.

Climate Change:

None.

VI. DETERMINATION

Based on substantial evidence provided in the Initial Study, the City of Modesto finds:

- ☒ This Initial Study, prepared pursuant to CEQA Section 21157.1, has identified an additional significant environmental effect that was not analyzed in the MEIR. These additional potentially significant effects are potential impacts to loss of sensitive wildlife and plant habitat, flooding and water quality, and generation of noise.
- ☒ Feasible mitigation measures will be incorporated to revise the subsequent project before the Negative Declaration and Initial Study is released for public review pursuant to CEQA Section 21092 in order to avoid or mitigate the identified effects to a point where clearly no significant effects on the environment will occur.

Mitigation measures are hereby applied to the Carpenter road Bridge Seismic Safety Project from the General Plan MEIR to reduce the impacts to an acceptable level; the full text of these measures are contained in the attached Mitigation Monitoring Program (Appendix A).

- ☒ There is no substantial evidence in light of the whole record before the public agency that the projects, as revised, may have a significant effect on the environment (CEQA Section 210064.5(2)).
- ☒ Based on the above-referenced Initial Study and feasible mitigation measures incorporated to revise the proposed project in order to avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment will occur, staff finds that a Mitigated Negative Declaration should be adopted pursuant to CEQA 21157.5 et. seq. for the proposed seismic safety project.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☒ I further find that the cumulative impacts of this project are consistent with those set forth in the Master EIR for the Modesto Urban Area General Plan. This project proposed seismic retrofit improvements to improve the safety of the existing bridge and is consistent with that analyzed in the General Plan Master EIR and set forth in the Modesto Urban Area General Plan. Based on the seismic retrofit improvements, the City's Public Works Department has determined that the impacts from this project with mitigation applied will achieve the level of service consistent with the Modesto Urban Area General Plan and Master EIR. As such, this project would generate no additional cumulative impacts that were not previously addressed in the Master EIR. All appropriate mitigation measures from the Master EIR have been incorporated into the project, and no further evaluation of cumulative impacts is required as this project generates no significant cumulative impact.
- ☒ As required by CEQA Section 21081.6 et. sec., a mitigation monitoring program (Appendix "A") will be adopted by incorporating the mitigation measures into the project plan (Section 21081.6(b)).

Signature: Steve Pace Date: 2/19/2010

Steve Pace
Public Works Department Director
City of Modesto

REPORT PREPARERS

Dokken Engineering
2365 Iron Point Road Suite 200
Folsom, CA 95630

Tim Chamberlain, Environmental Planner
Namat Hosseinion, Senior Environmental Planner

LSA Associates, Inc.
4200 Rocklin Road, Suite 11B
Rocklin, CA 95677

Bill Mayer, Project Manager
Kerri Camalo, Environmental Analyst
Lee Ann Cullivan, Word Processing

REFERENCES

Modesto, City of, 2003. *Final Master Environmental Impact Report for the Urban Area General Plan*, certified October, 2008 (SCH #2007073023).

Modesto, City of, 1995. *City of Modesto Urban Area General Plan*.

San Joaquin Valley Air Pollution Control District, 2002. *San Joaquin Valley Air Basin Attainment Status*.

The following technical studies, etc. are relevant to this project and are available for review at the City of Modesto Engineering and Transportation Department, 1010 Tenth Street, Modesto, CA 95353:

Archaeological Survey Report prepared by LSA Associates, Inc. April 26, 2002

Hazardous Waste Initial Site Assessment prepared by LSA Associates, Inc. April 20, 2002.

Historic Property Survey Report prepared by LSA Associates, Inc. April 26, 2002

Hydraulic and Floodplain Evaluation Report prepared by LSA Associates, Inc. (April 20, 2002) and Hydraulic Analysis and Scour Evaluation prepared by West Consultants, Inc. March 29, 2001.

National Marine Fisheries Service - Letter of concurrence A not likely to adversely affect Threatened Central Valley steelhead" November 27, 2002.

Natural Environment Study Report prepared by LSA Associates, Inc. August 30, 2002.

APPENDIX A -
Mitigation Monitoring and Reporting Plan

The City of Modesto, as the lead agency under the California Environmental Quality Act (CEQA), has developed a mitigation monitoring and reporting list for the Carpenter Road Bridge Seismic Retrofit Project. This list is designed to ensure that the mitigation measures identified in the Project's Initial Study are implemented.

The following table contains a list of the avoidance, minimization, and/or mitigation measures. For each measure, the table identifies timing of implementation, party responsible for implementation, completion check box, and space for initials.

The City of Modesto is responsible for ensuring the implementation of all measures in this Mitigation Monitoring and Reporting List.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
Degradation of Air Quality					
AQ-42: All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover. (General Plan Policy VII-H.2[kk])	During Construction	Contractor	☐	_____	
AQ-43: All onsite unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant. (General Plan Policy VII-H.2[ll])	During Construction	Contractor	☐	_____	
AQ-44: All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking. (General Plan Policy VII-H.2[mm])	During Construction	Contractor	☐	_____	
AQ-46: When materials are transported off site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. (General Plan Policy VII-H.2[oo])	During Construction	Contractor	☐	_____	
AQ-47: All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.) (General Plan Policy VII-H.2[pp])	During Construction	Contractor	☐	_____	
AQ-48: Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant. (General Plan Policy VII-H.2[qq])	During Construction	Contractor	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
AQ-49: Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday. (General Plan Policy VII-H.2[rr])	During Construction	Contractor	☐	_____	
AQ-50: Any site with 150 or more vehicle trips per day shall prevent carryout and trackout. (General Plan Policy VII-H.2[ss])	During Construction	Contractor	☐	_____	
Generation of Noise					
N-3: The City of Modesto shall require construction activities to comply with the City's noise ordinance (Title 4, Chapter 9), and noise-reducing construction practices to be implemented as conditions of approval for development projects where substantial construction-related noise impacts would be likely to occur (e.g., where construction would include extended periods of pile driving, where construction would occur over an unusually long period, or where noise-sensitive uses like homes and schools would be in the immediate vicinity, etc.). The city should consider potential mitigation measures, including, but not limited to, the following: • Construction equipment and vehicles should be equipped with properly operating mufflers according to the manufacturers' recommendations. Air compressors and pneumatic equipment should be equipped with mufflers, and impact tools should be equipped with shrouds or shields. • Equipment that is quieter than standard equipment should be utilized. • Haul routes that affect the fewest number of people should be selected. (UAGP VII¬G.3[a])	During Construction	City / Contractor	☐	_____	
The City of Modesto shall limit trucking to specific routes, times and speeds that minimize adverse effects to sensitive land uses such as schools and residential areas. (UAGP VII-G.3 [h])	During Construction	City / Contractor	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
Mitigation Measure NOI-1: During construction, the noise level from the Contractor's operations, between the hours of 9:00 p.m. and 7:00 a.m., shall not exceed 86 dBA at a distance of 35 feet. In addition, pile driving and jackhammer activities shall be prevented between 9:00 p.m. and 7:00 a.m. to minimize the noise disturbances on nearby residential receptors during the nighttime hours. This requirement shall not relieve the Contractor from responsibility for complying with local ordinances regulating noise level. The noise level requirement shall apply to the equipment on the job or related to the job, including but not limited to trucks, transit mixers or transient equipment that may or may not be owned by the Contractor. The use of loud sound signals shall be avoided in favor of light warnings except those required by safety laws for the protection of personnel.	During Construction	Contractor	☐	_____	
Loss of Sensitive Wildlife and Plant Habitat					
SWPH-4: All projects that have a federal component and that may affect state water quality (including projects that require federal agency approval, such as issuance of a Section 404 permit) must also comply with Section 401 of the CWA. Thus, applicants for a Section 404 permit must also obtain certification from the Regional Water Quality Control Board (RWQCB). For effects on wetlands that are not under USACE jurisdiction, and therefore are not regulated under Section 404, applicants must still consult with the RWQCB for effects on waters of the state. The RWQCB generally issues waste discharge requirements for these effects.	Prior to Construction (prepare) / During Construction (implement)	City	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
SWPH-6: The DFG is also responsible for the streambed alteration agreements program. Under Fish and Game Code 1600, et seq, activities that would result in the diversion, obstruction or change in the natural flow or bed, channel or bank of a stream, lake or river; would use materials from a streambed; or would result in the deposition of debris, waste, or other material into a streambed must first be approved by the DFG through issuance of a streambed alteration agreement. The purpose of the streambed program is to limit damage to stream habitats. Streambed Alteration Agreement requirements would apply to Dry Creek, the Tuolumne and Stanislaus Rivers, and all of the canals.	Prior to Construction (prepare) / During Construction (implement)	City	☐	_____	
Mitigation Measure BIO-1: For lands that contain or potentially contain valley foothill riparian, riverine, wetland, grassland, and pasture habitats, site specific surveys shall be conducted by a qualified biologist to determine whether a sensitive natural communities or species are present within the proposed development area. Surveys shall be conducted at the appropriate season to best determine the likelihood of occurrence and should employ accepted methodologies as determined by the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS). The significant results of such surveys should be recorded onto the City's existing biological resources map for future planning purposes. These surveys have been completed in conjunction with preparation of the NESR.	Prior to Construction	City	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
Mitigation Measure BIO-2: All habitat found to contain or potentially contain sensitive species shall be avoided and preserved unless doing so would create, isolate and/or fragment habitat that would not function adequately as judged by a qualified biologist and/or that the proposed development layout would be so constrained as to make the development financially infeasible; avoided habitat areas shall also be protected by fencing, signage and/or establishment of buffer zones as appropriate to the species or habitat involved. Generally, a minimum 100-foot buffer of undeveloped land would be necessary. The protected habitat shall contribute to long-term conservation of the species and ecosystems on which they depend. The NESR recommends protection of these resources to the extent practicable.	Prior to Construction (prepare) / During Construction (implement)	City / Contractor	☐	_____	
Mitigation Measure BIO-3: Where formally listed species are determined present, consultation shall be carried out with the CDFG and/or USFWS in accordance with the California and/or federal Endangered Species Acts. Where a candidate or other special status category of species is involved, informal consultation with these agencies is recommended. The recommendations of these agencies shall be incorporated into the development plan, unless overriding considerations can be demonstrated.	Prior to Construction (prepare) / During Construction (implement)	City / Contractor	☐	_____	
Mitigation Measure BIO-4: During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.	During Construction	Contractor	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
Mitigation Measure BIO-5: Measures to assure the project will have no affect on VELB: • Prior to initiation of construction, the limits of all construction and staging areas will be staked. The staked areas will be surveyed by a qualified biologist. Based on these surveys, additional refinements to construction areas will be performed as necessary to ensure a minimum 20-foot setback from the dripline of all elderberry plants. • Once the final limits of construction are set, brightly colored fencing (i.e., snow fencing) will be installed around the perimeter (at the drip line) of all elderberry plants within 100 feet of construction areas. A qualified biologist will be present during the installation of fencing. • Contractors will be briefed on the need to avoid damage to elderberry plants and the possible penalties for not complying with these requirements. • During the construction period, all elderberry plants within 100 feet of construction limits will be rinsed with clean water once each week unless rainfall makes this unnecessary. • Signs will be posted every 50 feet along elderberry avoidance areas with the following information: "This is habitat for the Valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines and imprisonment." The signs shall be clearly readable from a distance of 20 feet and maintained for the duration of the project. • During the construction period, a qualified biologist will inspect the construction areas on a regular basis to assure that the project is not affecting any elderberry plants.	Prior to Construction (prepare) / During Construction (implement)	City / Contractor	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
Mitigation Measure BIO-6: Prior to initiating construction, snow fence shall be installed along the ESA boundaries to prevent encroachment into the riparian areas adjacent to the construction site.	Prior to Construction (prepare) / During Construction (implement)	City / Contractor	☐	_____	
Mitigation Measure BIO-7: Following completion of construction, all graded or disturbed areas within the riparian corridor on the north bank of the Tuolumne River (approximately 0.19 acre) shall be revegetated with riparian species in accordance with the Riparian Revegetation Guidelines contained in Appendix D of the NESR. Using an average tree spacing of 15 feet on center, approximately 36 trees will be planted throughout the 0.19 acre area that will be revegetated. These 36 trees are expected to adequately offset the removal of 20 trees during project implementation.	After Completion of Construction	City / Contractor	☐	_____	
Mitigation Measure BIO-8: At least two weeks prior to the start of construction, a qualified biologist shall survey the riparian habitat within, and adjacent to (if possible), the project area for presence of nesting birds. If any nesting activity is observed, the City shall coordinate with CDFG to determine the best course of action.	Prior to Construction (prepare) / During Construction (implement)	City / Contractor	☐	_____	
Mitigation Measure BIO-9: All work in the live stream of the Tuolumne River will be conducted between June 15 and September 15.	Prior to construction (prepare) / During construction (implement)	Town / Contractor	☐	_____	
Disturbance of Archaeological/Historical Sites					
AH-16: Any project that involves earth-disturbing activities within previously undisturbed soils in an area determined to be archaeologically or culturally sensitive by the City of Modesto through consultation with the Project Applicant and a qualified archaeologist and the Native Americans will be required to have the following mitigation measures, at a minimum:					

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
1. If prehistoric archaeological remains are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease, and a qualified archaeologist shall be retained by the project sponsor to investigate the find, and make recommendations as to treatment and mitigation. In the event of the discovery of a burial, human bone or suspected human bone, all excavation or grading in the vicinity of the find shall halt immediately and the area of the find shall be protected and the project applicant immediately shall notify the County Coroner of the find and comply with the provisions of Cal. Health and Safety Code Section 7050.5, including Cal. Public Resources Code Section 5097.98, if applicable. If human remains are identified, the project sponsor will also retain a Native American monitor. 2. A qualified archaeological monitor will be present and will have the authority to stop and redirect grading activities, in consultation with the Native Americans and their designated monitors, to evaluate the significance of any Native American archaeological resources discovered on the property. 3. Native American monitors from the appropriate Native American Tribes, as determined by the Native American Heritage Commission (NAHC) shall be allowed to monitor all groundbreaking activities, including all archaeological testing and data recovery excavations that are likely to affect Native American resources, as determined by a qualified archaeologist. The project proponent will be responsible for compensating Native American monitors. If human remains are discovered, the NAHC will assign a Most Likely Descendent (MLD). 4. The landowner agrees to relinquish ownership of all Native American human remains and associated burial artifacts that are found within the project area, to the appropriate Native American MLD, as assigned by the NAHC, for proper treatment and disposition. The MLD will decide whether standard archaeological analysis will be allowed on human remains and associated artifacts from burials. (UAGP Policy VII.F.2[m])	During construction	Contractor	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
Flooding and Water Quality					
FWQ-2: The City will conform to federal standards for water quality, stormwater discharge, and "fill" of waters of the United States under the CWA.	Prior to construction	City	☐	_____	
FWQ-3: The State Board of Reclamation (Reclamation) requires an encroachment permit for any project within the boundaries of the Designated Floodways of the Tuolumne and Stanislaus Rivers and Dry Creek. The program is administered pursuant to Title 23 of the California Code of Regulations.	Prior to construction	City	☐	_____	
FWQ-4: Development will comply with applicable NPDES-permitting programs and Waste Discharge Requirements (WDRs) pursuant to the State Porter-Cologne Act. It will also be subject to Section 401 Water Quality Certification under the CWA.	Prior to construction	City	☐	_____	
FWQ-13: Construction activities shall comply with the requirements of the City's Storm Water Management Plan under its municipal NPDES stormwater permit, and the State Water Resources Control Board's General Permit for Discharges of Storm Water Associated with Construction Activity. (UAGP Policy V.E.3 [h])	Prior to construction (prepare) / During construction (implement)	City / Contractor	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
Mitigation Measure HYDRO-1: The City of Modesto is advised that it is required to submit a letter of map revision request (LOMR) to FEMA because the proposed project involves construction in the regulatory floodway. In addition, FEMA regulations require that there be no increase in the water surface elevations for projects involving construction in the regulatory floodway. If there is an increase in the base flood elevations because of a project, the City would need to submit additional evidence to FEMA in accordance with the National Flood Insurance Program regulations outlined in 44 CFR, Section 65.12. Therefore, mitigation has been proposed by the project engineer to achieve no impact to the flood levels. • Install a closed-cell type articulated concrete block (ACB) revetment to protect the Abutment 1, instead of a rock riprap revetment which was proposed in the design plans. A closed-cell Armorflex block system was chosen. This type of protection results in a smoother surface and decreases the roughness through the bridge. The modeled results indicate that the ACB revetment option mitigates the increased water surface elevations for both the 50-year and 100-year flood simulations.	Prior to construction (prepare) / During construction (implement)	City / Contractor	☐	_____	
Mitigation Measure HYDRO-2: Implementation of the following BMPs will reduce the potential for impacts upon water quality. • Provide berms along the tops of slopes to prevent water from running uncontrolled down the slopes. • Collect the water in these berms and take it down the slopes in an erosion-proof drainage system. • Provide energy dissipaters and erosion control pads at the bottom of down drains. • Install permanent landscaping, as soon as practical, after the completion of grading.	During construction	Contractor	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
Mitigation Measure HYDRO-3: The following measures shall be included in the project drainage plans: • The drainage plan shall include water quality control measures to ensure minimized contaminants in waters discharged to surface streams or percolated into the ground. • The water quality control measures shall address both construction and operation periods. • Fluvial erosion related to construction is controlled by a construction erosion control program which shall be filed with the City Utility Planning and Projects Department and kept current throughout any site development phase. • The erosion control program shall include best management practices as appropriate, given the specific circumstances of the site and/or project.	Prior to construction (prepare) / During construction (implement)	City / Contractor	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
Generation of Hazardous Materials					
HM-5: In the event that site inspection or construction activities uncover chemical contamination, underground storage tanks, abandoned drums, or other hazardous materials or wastes at a parcel, the inspection report preparer shall so notify the City. The City shall notify the County Health Services Department. Under the direction of these agencies, a site remediation plan shall be prepared by the project applicant. The plan would (1) specify measures to be taken to protect workers and the public from exposure to potential site hazards and (2) certify that the proposed remediation measures would clean up the wastes, dispose the wastes, and protect public health in accordance with federal, state, and local requirements. Permitting or work in the areas of potential hazard shall not proceed until the site remediation plan is on file with the City. If a parcel is found to be contaminated to a level that prohibits the proposed use, the potential for reduction of the hazard should be evaluated. Site remediation is theoretically capable of removing hazards to levels sufficiently low to allow any use at the site. In practice, both the technical feasibility of the remediation and its cost (financial feasibility) should be evaluated in order to determine the overall feasibility of locating a specific use on a specific site. In some cases, it may require restriction to industrial use or a use that involves complete paving and covering of the parcel. In accordance with [Occupational Safety and Health Administration] requirements, any activity performed at a contaminated site shall be preceded by preparation of a separate site health and safety plan (prepared by the project applicant and filed with the City) for the protection of workers and the public. All reports, plans, and other documentation shall be added to the administrative record. (UAGP Policy V-M.2[c])	Prior to construction (prepare) / During construction (implement)	City / Contractor	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Mitigation Measure	Timing	Responsible Party*	Completed	Initials	Notes (optional)
HM-12: The City shall prevent water pollution from urban storm runoff as established by the Central Valley Regional Water Quality Control Board Basin Plan for surface discharges and Environmental Protection Agency for underground injection. (UAGP Policy V-E.3[c])	Prior to construction (prepare) / During construction (implement)	City / Contractor	☐	_____	
HM-17: Construction activities shall comply with the requirements of the City's Storm Water Management Plan under its municipal NPDES stormwater permit, and the State Water Resources Control Board's General Permit for Discharges of Storm Water Associated with Construction Activity. (UAGP Policy V-E.3[h])	Prior to construction (prepare) / During construction (implement)	City / Contractor	☐	_____	
HM-18: For developments within a mapped 100-year floodplain, studies shall be prepared that demonstrate how the development will comply with both the construction and post-construction programs under the City's municipal NPDES permit. Developments in these areas shall not lead to increased erosion or releases of other contaminants that would cause violations of the City's municipal NPDES permit. (UAGP Policy V-E.3[i])	Prior to construction (prepare) / During construction (implement)	City / Contractor	☐	_____	

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.
The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

APPENDIX B -
CEQA 30 Day Public Circulation and Response to Comments

The City of Modesto, as the lead agency under the California Environmental Quality Act (CEQA), advertised and circulated this document to the public pursuant to CEQA guidelines for 30 days. As a result of that circulation one comment was received from the California State Lands Commission. This comment was received after the 30 day review period; however, a representative from the State Lands Commission had requested in writing a 7 day extension to provide comments which the City of Modesto approved. A letter from the California Office of Planning and Research State Clearinghouse was received on January 14th, 2010, which identifies that only one comment was received. The following section includes the comment from the State Lands Commission and a brief discussion of how those comments were addressed by making changes to the Environmental Document.

STATE OF CALIFORNIA ARNOLD SCHWARZENEGGER, *Governor*

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

PAUL D. THAYER, *Executive Officer*
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922**

Contact Phone: **(916) 574-1900**
Contact FAX: **(916) 574-1885**

January 13, 2010

File Ref: SCH# 2009122028

Steve Pace
City of Modesto
PO Box 642
Modesto, CA 95353

Subject: Carpenter Road Bridge Seismic Retrofit Project

Dear Mr. Pace:

Staff of the California State Lands Commission (CSLC) has reviewed the subject document. Under the California Environmental Quality Act (CEQA), the City of Modesto is the Lead Agency and the CSLC is a Responsible and/or Trustee Agency for any and all projects that could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters. For this project, the CSLC would act as a Responsible and Trustee Agency.

As general background, the State acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for statewide Public Trust purposes of waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation and open space. The State owns sovereign fee title to tide and submerged lands landward to the mean high tide line (MHTL) as they existed in nature, prior to fill or artificial accretions. On navigable non-tidal waterways, the State holds fee ownership of the bed landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, as they last naturally existed. The State's sovereign interests are under the jurisdiction of the CSLC.

The Tuolumne River at this location is State-owned sovereign land under the jurisdiction of the CSLC. A 49-year lease was issued to the County of Stanislaus for the Carpenter Road Bridge beginning on June 18, 1958. The lease expired on June 17, 2007. The County of Stanislaus has submitted an application to obtain a new lease for the bridge; however, additional information is required before a lease can be issued. In addition, an amended application will be required to be submitted to the CSLC by the County of Stanislaus to describe the proposed seismic retrofit.

CSLC staff will rely on the Mitigated Negative Declaration (MND) prepared by the city of Modesto for the Carpenter Road Bridge Seismic Retrofit Project in order to make our CEQA determination for the amendment to the lease with the County of Stanislaus.

Staff has concerns about the adequacy of the MND with regard to its lack of analysis for the impacts of greenhouse gases (GHGs) generated by the seismic retrofit construction activity on the bridge. As part of the air quality analysis, please include GHG information consistent with the California Global Warming Solutions Act (AB 32) and Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97. For each construction activity, this would include a determination of the greenhouse gases that would be emitted, a determination of the significance of the impact, and mitigation measures to reduce that impact.

Please contact Michelle Clark, Public Land Management Specialist, at 916-574-0200 or at clarkm@slc.ca.gov. If you have any questions concerning the environmental review, please contact Sarah Mongano at (916) 574-1889 or by e-mail at mongans@slc.ca.gov.

Sincerely,

Marina R. Brand

Marina R. Brand, Acting Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
M. Clark, CSLC
D. Jones, CSLC
S. Mongano, CSLC

Response to Comments

Thank you for your comments; they will be documented in the final environmental documents.

Comment 1 – State Land Commission Lease

The information provided was not included in the draft version of this environmental document. A new section has been added to Section 20: Land Use and Planning which outlines the history of the lease between the State Lands Commission and the County of Stanislaus. Additionally, discussion has been added to document that the City of Modesto will consult with the County of Stanislaus to provide suitable project description and other project information for inclusion in the amended lease agreement between the State Lands Commission and the County.

Comment 2 – Greenhouse Gasses

Adequate discussion of Climate Change and project related Greenhouse Gasses are already included in the document. Section 21: Climate Change addresses the potential for impacts related to Greenhouse Gas emissions. The following section is included in the environmental document which addresses this:

As discussed in Section 2 – Air Quality, the project will not have any significant impacts to air quality. For the same reasons, the project will not have any significant impacts on Climate Change. Since the purpose of the project is to improve safety of the existing bridge over the Tuolumne River, and because the proposed retrofit would not add additional travel lanes or result in traffic volume increases, no additional significant GHG emissions are expected as a result of the project.

Construction related air quality impacts are temporary and are typically not considered significant impacts under CEQA. Minimization and Mitigation measures from the City of Modesto General Plan have been included in this environmental document under both Section 2: Degradation of Air Quality and Section 21: Climate Change. Inclusion of these measures would minimize potential temporary construction related air quality and greenhouse gas emission impacts to a less than significant level.

Notice of Determination

Appendix D

FILED
10 MAR 11 AM 11:20
STANISLAUS CO. CITY-RECORDER
BY Alejandra Arenivaz DEPUTY

To:

☒ Office of Planning and Research

For U.S. Mail: P.O. Box 3044, Sacramento, CA 95812-3044

Street Address: 1400 Tenth St., Sacramento, CA 95814

☒ County Clerk
County of: Stanislaus
Address: 1021 I Street, Suite 101
Modesto, CA 95354

From:
Public Agency: City of Modesto
Address: P.O. Box 642
Modesto, CA 95353
Contact: Steve Pace
Phone: (209) 557-5265

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2009122028

Project Title: Carpenter Road Bridge Seismic Retrofit Project

Project Location (include county): Carpenter Road and Hatch Road, City of Modesto, County of Stanislaus

Project Description:
Seismic retrofit of the Carpenter Road Bridge. Work includes structural strengthening, increase bridge width to accomodate ADA pedestrian access, and utility relocation.

This is to advise that the City of Modesto has approved the above described project on
☒ Lead Agency or ☐ Responsible Agency

March 9, 2010 (Date) and has made the following determinations regarding the above described project:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: 1010 10th Street, Modesto, CA 95354

Signature (Public Agency) [signature] Title Senior Civil Engineer

Date 3/10/10 Date Received for filing at OPR 3/11/10

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2005